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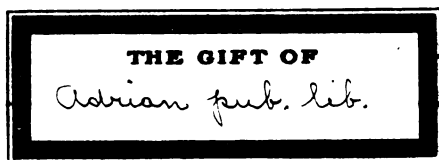
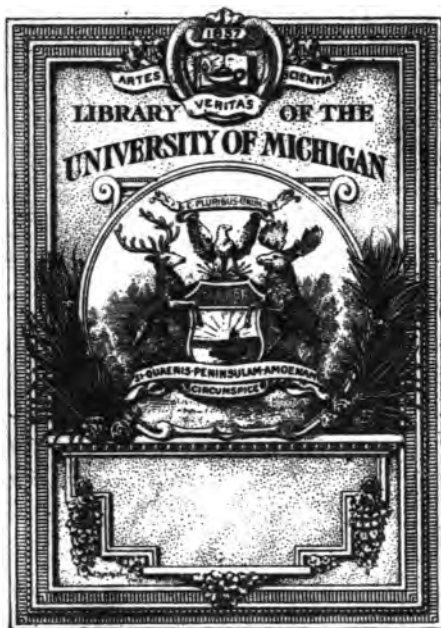
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Compiled Charter

AND

ORDINANCES

OF THE

CITY OF ADRIAN, *Mich. Charters.*

Printed and Published by Order of the Common .
Council.

ADRIAN, MICH.;
"WEEKLY PRESS" STEAM JOB PRINT.
1882.

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NOTE.

The Village of Adrian was incorporated by Act of the Legislature, approved March 28th, 1836. Laws of 1836, p. 179.

The Charter of the Village of Adrian was revised by Act of April 6th, 1841. Laws of 1841, p. 66.

The City of Adrian was incorporated January 31st, 1853. Laws of 1853, p. 27-41.

The Charter of the City of Adrian was revised by Acts approved March 21st, 1865, March 16th, 1869, March 18th, 1871, and April 3d, 1879.

This compilation of the Charter and Ordinances of the City of Adrian is made and published in pursuance of a Resolution of the Common Council, Adopted 1882, and includes such of the Ordinances of the Village of Adrian as are deemed to be still in force.

ADRIAN, 1882.

12.12-37

COMPILED CHARTER

OF THE

CITY OF ADRIAN.

BOUNDARIES.

SECTION 1. The People of the State of Michigan enact: That so much of the former townships of Adrian and Madison, in the county of Lenawee as is embraced in the following descriptions, to-wit: the south half of section thirty-four, the north-east quarter of section thirty-four, all of section thirty-five, and the west half of section thirty-six, in the said township of Adrian, and also the west half of section number one, all of section number two, all of section number three, the north half of the north-west quarter of section number twelve, the north half of the north half of section number eleven and the north half of the north-east quarter of section number ten, in the said township of Madison, is hereby set off from the said townships of Adrian and Madison, and constituted a body corporate, by the name and style of the City of Adrian, by which name it shall be hereafter known.

Boundaries
of city.

Corporate
name.

SEC. 2.—The freemen of said city, from time to time, being inhabitants thereof, shall be and continue a body corporate and politic, to be known and distinguished by the corporate name and title of "The City of Adrian," and shall be and are hereby made capable of suing and being sued, of pleading and being impleaded, of answering and being answered unto, and of

‡ 1. Amended, laws 1869, Vol. 2, p 630, No. 329, March 22.

defending and being defended, in all courts of law and equity, and in all other places whatever; and shall have a common seal, which they may alter and change at pleasure, and by the same name shall be and are hereby made capable of purchasing and holding, conveying and disposing of any real or personal estate for said city.

WARDS.

SEC. 3.—The said City shall be divided into four wards as follows: All that part of said city embraced in the following described limits shall be the First Ward, to-wit: Commencing at the south-east corner of said city, and running thence northerly on the east line of the city to the center line of Maumee street; thence westerly on the center line of Maumee street, to the center line of Main street, thence southerly on the center line of Main street, to the center line of Church street; thence easterly on the center line of Church street to the center of the northerly continuation of State street, thence southerly on the center line of the northerly continuation of State street to the north end of the center line of State street, and thence southerly on the center line of State street and on a line corresponding with the center line of State street to the south line of the city, and thence easterly on the south line of the city to the south-east corner of the city. All that part of said city embraced within the following described limits shall be the Second Ward, to-wit: Commencing at the north-east corner of the city, running thence southerly on the east line of the city to the center line of Maumee street, thence westerly on the center line of Maumee street to the center line of Main street; thence northerly on the center line of Main street to the north line of the city; thence easterly on the north line of the city to the place of beginning. All that part of the city lying north and west of the following described line, shall be and constitute the Third Ward, to-wit: Beginning on the north line of the city at the north-west corner of the Second Ward, as the same is above described, and running thence on the center line of Main street southerly to the center line of Maumee street; and thence westerly in the center of Maumee street to the middle of the south branch of the River Raisin; thence southerly and up stream in the middle of the channel of said river to a point east of the east end of the center line of the street called College avenue; thence westerly on the center line of College avenue, and on a line corresponding with the center line of College avenue, to

§ 3. Amended Laws 1869, Vol. 2, pp. 465, 466, 467, No. 285, March 16, and laws 1869, Vol. 2, pp. 631, 632, No. 329, March 22.

Madison street; thence southerly on Madison street to Michigan avenue; and thence westerly on Michigan avenue to the west line of the city. All that part of said city lying west and south of the following described line shall constitute the Fourth Ward of the city, viz.: Beginning on the south line of the city at the south-west corner of the said First Ward, as above described, and running thence northerly on the west line of said First Ward to the center of Church street; and thence westerly on the center line of Church street to the center line of Main street; thence northerly on the center line of Main street to the center line of Maumee street; thence westerly on the center line of Maumee street to the middle of said south branch of said River Raisin; thence southerly and up stream in the middle of the channel of said river to a point east of the east end of the center line of College avenue; thence westerly on the center line of College avenue, and on a line corresponding with the said center line of College avenue to Madison street; thence southerly on the center line of Madison street to the center line of Michigan avenue, and thence westerly on the center line of Michigan avenue, and on a line corresponding therewith, to the west line of the city.

OFFICERS.

SEC. 4.—The following officers of the corporation shall be elected on a general ticket by the qualified electors of the whole city, viz.: a Mayor, City Recorder, City Treasurer, Street Commissioner, City Marshal, and four Justices of the Peace. The following officers of the corporation shall be elected on a ward ticket, in each ward, by the qualified electors thereof, viz.: a Supervisor, two Aldermen, and one Constable.

SEC. 5.—The Common Council shall appoint annually a City Attorney; and he shall perform such duties and exercise such powers as shall be assigned to him by the Common Council, by ordinance duly enacted.

SEC. 6.—The Common Council may appoint annually, on the first Monday of May, such officers whose election is not herein specially provided for, as the Council shall deem necessary to carry into effect the powers granted by this act, and may remove the same, and all officers appointed by them, on good cause shown, which cause shall be entered at length on the city record; *Provided*, That any appointment which shall not be made on the day named, may be made at any subsequent meeting of the Common Council.

§ 4. Amended Laws 1869, Vol. 2, p. 467, No. 285, March 16, and Laws 1871, Vol. 2, p. 488, No. 222, March 18, and Local Acts 1879, p. 128, No. 340, April 5.

§ 6. Amended Laws 1869, Vol. 2, p. 467, No. 285, March 16, and Laws 1871, Vol. 2, p. 488, No. 222, March 18.

SEC. 7.—No person shall be elected or appointed to any office, unless at the time of such election or appointment he shall be an elector of said city; and if elected or appointed for a ward, he shall reside in and be an elector of said ward. And no person shall be elected or appointed to any office created by this act, or authorized by this act to be created, who is now or shall hereafter be a defaulter to said city, or to any board of officers thereof, or to the Public Schools of the city of Adrian, or to the county of Lenawee, and any appointment of any such person to office, and all votes for any such person to fill any such office, shall be void.

Qualifications
of Officers.

Defaulter not
Eligible.

Oath of of-
fice, when
to be taken.

Police Justice.

If unable to
serve, who to
act as

Justice of
the Peace,
official
bond of

Penalty for
not filing
bond and
oath of office.

SEC. 8.—Justices of the Peace elected under the provisions of this act shall take and subscribe the constitutional oath of office, and file the same with the clerk of the county of Lenawee within the time prescribed by law. All other officers so elected, and all officers appointed by the Common Council, shall within ten days after notice of their election or appointment, take and subscribe before some officer authorized to administer oaths, the oath of office prescribed by the constitution of this state, and file the same with the City Recorder. The Justice of the Peace whose term of office soonest expires shall be the Police Justice of the city, before whom all suits and proceedings for violations of any of the ordinances of said city shall be tried; and for such service he shall receive a compensation not exceeding one hundred dollars, and not less than fifty dollars per year, as shall be fixed and determined by the Common Council of said city. Such salary shall be in lieu of all other fees and charges for such services. *Provided*, That in case such Police Justice shall, from illness, absence from the city or other legal disability, be unable or incompetent to try such cause [causes], then in any such case the City Attorney may bring such suit before any other Justice of the city, who may thereupon try and determine the same, and receive such fees therefor as is now provided by law.

SEC. 9.—Every Justice of the Peace before he enters upon the duties of his office, and within the time limited for filing his official oath, shall file with the County Clerk the security for the performance of the duties of his office as required by law in the case of Justices of the Peace elected in townships; except that his official bond or security for the performance of the duties of his office, may be executed in presence of and be approved by the Mayor, instead of a Supervisor; and in case he enters upon the execution of his office before having filed his official oath and such bond or security, he shall be liable to the same penalties as are provided in such cases for Justices of the Peace elected in townships. And every other officer elected in said city, or appointed by the Common Council, before he enters upon the du-

ties of his office, and within the time prescribed for filing his official oath, shall file with the City Recorder such security in such form as may be required by law, or by any ordinance, rule or regulation of the Common Council, for the due performance of the duties of his office. [The Common Council, or the Mayor, or other officer, whose duty it shall be to judge of the sufficiency of the proposed sureties of any officer of whom a bond or instrument in writing may be required under the provisions of this act, shall examine into the sufficiency of such sureties, and shall require them to submit to an examination, under oath, as to their property; such oath may be administered by the Mayor or any Alderman of said city. The deposition of said surety shall be reduced to writing, be signed by him, certified by the person taking the same, and annexed to and filed with the bond or instrument to which it relates.]

Official bond
of city officers,
when to be
filed.

Examination
of sureties in
official bonds.

SEC. 10.—The Mayor, Recorder, Treasurer, Marshal, Street Commissioner, Supervisors and Constables shall be elected at the annual city election, and shall hold their offices for the term of one year, and until their successors are elected and qualified. One Justice of the Peace shall be elected at the annual city election in the year eighteen hundred and sixty-five, and there shall be elected annually thereafter, at each annual city election, one Justice of the Peace. The term of office of each Justice of the Peace (excepting in cases where such Justice shall be elected to fill a vacancy) shall commence on the fourth day of July following his election, and shall continue four years, and until his successor shall be elected and qualified. One Alderman shall be elected in each ward at the annual city election in the year eighteen hundred and sixty-five, and shall hold his office for the term of two years, and until his successor [successors] shall be elected and qualified; and there shall be elected annually thereafter in each ward one Alderman for the like term.

Officers—
when elected
and term of
office.

Justice of
the Peace.

Aldermen.

SEC. 11.—Every Justice of the Peace or other officer elected to fill a vacancy, and all other officers elected or appointed in pursuance of the provisions of this act, or of any ordinances or resolution of the Common Council (except Justice of the Peace elected for the full term of four years), shall enter upon the duties of their offices immediately upon filing their oaths of office, and such bond or security for the performance of their official duties as may be required by law or by any ordinance, resolution or regulation of the Common Council.

Term of office,
when to
commence.

SEC. 12.—Every Justice of the Peace or other officer elected to fill a vacancy, and every officer appointed by the Common Council, to fill a vacancy occurring in an office which by this

Term of office,
when to end.

§ 10. Amended Laws 1869, Vol. 2, pp. 467, 468, No. 285, March 16, and Laws 1871, Vol. 2, pp. 488, 489, No 222, March 18, and Local Acts 1 79, p 129, No 340, April 3.

act is made elective, shall hold such office for the residue of the unexpired term thereof; and all other officers appointed by the Common Council shall hold their office until the first Monday of May following their appointment, and till their successors shall be appointed and qualified, unless they shall be sooner removed from office, or the office to which they were appointed shall be abolished.

Salaries of
officers.

Proviso.

SEC. 13.—The mayor and aldermen of said city shall each receive a salary not exceeding fifty dollars a year and no more. All other officers of said corporation shall receive such compensation for their services as the Common Council shall prescribe, except where the same is fixed by this act, or is or shall be prescribed by other statutes of this State: *Provided*, That the City Marshal shall not receive more than seven hundred dollars, and such salary shall be in full of all fees, charges, and emoluments, for all services rendered by him in the performance of any of the duties of his office in any one year. And all fees and costs chargeable under any ordinance or other provision of law, for any services performed by the City Marshal, whether the same shall be performed under any ordinance of said city, or under any law of this State, or otherwise, shall be collected by said Marshal, and shall be by him paid into the city treasury within one month after the collection thereof, and the same shall belong to said city. Said City Marshal shall not, during his term of office as such Marshal, hold the office of constable, or be appointed to any other office under the charter or ordinances of said city. And if said City Marshal, by agreement or arrangement with any other officer or person, shall receive, either directly or indirectly, any money, compensation, or fee, or any portion of the fees and costs charged or chargeable for services performed, or on account of services to be performed by any other officer or person, he shall be deemed guilty of a misdemeanor and shall be punished accordingly. The City Recorder shall not receive more than the sum of eight hundred dollars for his services in any one year, which shall be in full for all services performed by him in the discharge of the duties of his office, and in full for the services of any deputy, all clerk hire, or other assistants required in the performance of the duties of his office.

Duties of
officers.

SEC. 14.—Each and all of the officers of said corporation, including firemen and officers of the Fire Department, and such other officers and agents as may be appointed by the Common Council, shall, in addition to the duties specially imposed upon them by this act, perform and discharge such other duties as may be required of them in and by any ordinance of said city, or by any order or resolution of the Common Council.

§ 13. Amended Laws 1869, V.1, 2, p 468, No. 285, March 16, and Local Acts 1879, pp. 129, 130, No. 340, April 8.

SEC. 15.—The resignation of any officer authorized by this act to be elected or appointed, shall be made to the Common Council, subject to their approval or acceptance. Resignations, to whom to be made.

SEC. 16.—The Common Council shall have power to remove from office the Recorder, Marshal, Treasurer, and any Street Commissioner for any violation of the provisions of this act, or any ordinance or by-law of said city, or for refusing to perform the lawful requirements of said Common Council. But the removal of any officer shall not, nor shall the appointment of any other person in his place, exonerate the officer removed or his sureties, from any liability incurred by him or them. Removal of officers by the Common Council.

SEC. 17.—If any person elected or appointed to any office of the corporation shall cease to be a resident of the city, or if a ward officer, of the ward in which he may have been elected or appointed, such office shall be thereby vacated. If any officer of said corporation, elected or appointed under the provisions of this act, shall become a defaulter while in office, or shall in anywise be deemed a defaulter under the provisions of this act, such office shall thereby be vacated. Offices when vacated.

SEC. 18.—If any person elected or appointed to any office under the provisions of this act, shall not take and subscribe the oath of office, and file the same as in this act directed, or shall not file an official bond as required by law, or as may be required by the Common Council, such neglect shall be deemed a refusal to serve, unless before any proceeding is taken to fill such office by another person, such oath shall be taken and such security shall be given. And in case of any such refusal or neglect, the Common Council may proceed immediately to cause such office to be supplied as in case of a vacancy. Refusal to serve, when deemed.

SEC. 19.—In case a vacancy shall occur in the office of any Justice of the Peace, the same shall be supplied by election at the next annual election. In case of a vacancy in the office of Mayor, or of any Alderman, the same may be supplied by a special election, and in case a vacancy shall occur in any other office the same may be supplied by appointment by the Common Council, or if the office in which the vacancy occurs is elective, the vacancy shall be supplied by a special election. Vacancy in office, when and how supplied.

ELECTORS AND REGISTRATION.

SEC. 20.—The inhabitants of said city, being electors under the Constitution of the State of Michigan, and no others, are declared to be electors under this act, and qualified to vote at elections held by virtue of this act; and each person offering to vote at any such election, if challenged by an elector of said Electors, who are. Challenges.

² 16. Amended Laws 1869, Vol. 2, p 468, No. 285, March 16, and Local Acts 1879, p 130 No. 340, April 3.

False oath.
penalty for.

city, shall, before his vote shall be received, take one of the oaths provided by law to be administered in case of challenges at general and special elections in this State, the word "ward," instead of "township," being used in the oath to be administered to the person so challenged; and if such person shall swear falsely therein, upon conviction thereof he shall be liable to the pains and penalties of perjury; and such persons shall further answer under the oath administered as aforesaid, such questions as may be put to him touching his residence in such ward.

Vote, where
cast.

Residence,
where deemed,

SEC. 21.—At all elections in said city, every elector shall vote in the ward where he shall have resided ten days next preceding the day of election. The residence of any elector not being a householder, shall be deemed to be in the ward in which he boards or takes his regular meals.

Re-registration,
in 1866.

In 1870, and
every 4th year
thereafter.

Notice of re-
registration.

SEC. 22.—At the session of the Board of Registration in said city previous to the general election in November, in the year eighteen hundred and sixty-six, the said board shall make a re-registration of the qualified electors of each ward of said city, in proper books of the form heretofore used, and the same rules and requirements shall be observed in such registration, in all respects, as are required by law for the registration of qualified electors in cities; and a like re-registration of the qualified electors of each ward of said city shall be made at the session of the Board of Registration next preceding the general election in the year eighteen hundred and seventy, and next preceding the general elections to be held every fourth year thereafter. When any such re-registration shall be completed, the former registry of electors in such wards shall henceforth be deemed invalid, and shall not be used at the ensuing elections; and no person shall vote at any public election in said wards after such re-registration whose name shall not be registered anew, as provided by this section, or be afterwards properly entered on such new register, according to the provisions of law for the registration of electors. The notice of the meeting or session of the Board of Registration at which any re-registration is to be made, in addition to all other matters required by law to be therein stated, shall set forth that a re-registry is to be made, and that no elector whose name shall not be registered in such new register, will be permitted to vote at the ensuing election.

ELECTIONS.

Annual elec-
tion, when

SEC. 23.—There shall be an annual city election on the first Monday of April in each year, held at such places in each of the several wards in said city as the Common Council shall designate.

‡ 21. Amended Laws 1869, Vol. 2, p. 468, No. 285, March 16.

SEC. 24.—Special elections may be appointed by resolution of the Common Council, and held in and for said city, or in and for any ward thereof, at such times and place or places as the Common Council shall designate; the purpose and object of which shall be fully set forth in the resolution appointing such election.

SEC. 25.—Whenever a special election is to be held, the Common Council shall cause to be delivered to the inspectors of election in the ward or wards where the same is to be held, a notice signed by the City Recorder, specifying the officer or officers to be chosen, and the day and place at which such election is to be held, and the proceedings at such election shall be the same as at the annual elections.

SEC. 26.—Notice of the time and places of holding any election shall be given by the City Recorder, at least eight days before such election, by posting such notice in three public places in each ward in which such election shall be held, and by publishing a copy of such notice in a daily newspaper published in said city one week at least before such election; and in case of a special election, such notice shall also set forth the purpose and object of the election as fully as the same are required to be set forth in the resolution appointing such election.

SEC. 27.—On the day of elections held by virtue of this act, the polls shall be opened in each ward, at the several places designated by the Common Council, at eight o'clock in the morning, and shall be kept open until five o'clock in the afternoon, at which hour they shall be finally closed. The inspectors shall cause proclamation to be made of the opening and closing of the polls.

SEC. 28.—The Supervisor and two Aldermen of each ward shall constitute the Board of Inspectors of elections. The Supervisor, if present, shall be chairman of the Board, and the Aldermen shall be the clerks of elections; or when necessary the Board may appoint two other competent persons to be clerks of elections; and in case of such appointment, each of the persons appointed shall take the constitutional oath of office, to be administered by either of the inspectors; and in case of the absence of one or more of the inspectors, the electors present may choose *viva voce* from their number one or more to fill such vacancy or vacancies, to whom shall be administered the constitutional oath by either of said inspectors or by any Justice of the Peace. The inspectors and clerks of election shall be entitled to receive two dollars per day each for their services.

SEC. 29.—The inspectors of elections, as specified in the preceding section, shall also be inspectors of state, county and district elections in their respective wards.

SEC. 30.—All elections held in pursuance of the provisions of this act shall be conducted as nearly as may be in the same manner as is provided by law for the holding of general elections in the State of Michigan, except as herein otherwise provided. And the inspectors of such elections have the same powers and authority for the preservation of order, and for enforcing obedience to their lawful commands during the time of holding the elections and the canvass of the votes, as are conferred by law upon inspectors of general elections held in this state.

SEC. 31.—The electors shall vote by ballot; and the same ballot shall contain the names of persons designated as officers for the city and as officers for the ward.

SEC. 32.—If at any annual election to be held in said city there should be one or more vacancies to be supplied in any office, and at the same time any person is to be elected for the full term of said office, the term for which each person voted for said office, shall be designated on the ballot.

SEC. 33.—It shall be the duty of the inspectors, on receiving the vote, as specified in the last two sections, to cause the same without being opened or inspected, to be deposited in the proper box, provided by the Common Council for that purpose. The said board shall also write down or cause to be written, the name of each elector voting at such elections, in two poll lists, to be kept by said inspectors of election or under their direction.

SEC. 34.—Immediately after closing the polls, the inspectors of election shall without adjourning, publicly canvass the votes received by them and declare the result, and shall on the same day, or on the next day, make a statement in writing setting forth in words at full length the whole number of votes given for each office, the names of the persons for whom such votes for each office were given, and the number of votes so given to each person, which statement shall be certified, under the hands of the inspectors to be correct; and they shall deposit said statement and certificate on the day of election or on the next day, together with said poll lists and the boxes containing said ballots in the office of the City Recorder.

SEC. 35.—The manner of canvassing said votes shall be the same as prescribed by law for canvassing votes at the general elections held in this state.

SEC. 36.—The Common Council shall convene on the Thursday next succeeding each election, at their usual place of meeting, and determine what persons are duly elected at the said election to the several offices respectively; and thereupon the City Recorder shall make duplicate certificates under the corporate seal of the city, of such determination, showing what persons are declared elected to the several offices respectively, one of

Elections, how conducted.

Preservation of order at.

Ballots, contents of

Term of office to be designated on,

How deposited.

Poll lists

Canvass of votes.

Statement of votes cast.

Canvass, how conducted.

Council to convene, &c.

Certificates of election.

which certificates he shall file immediately in the office of the County Clerk of the county of Lenawee, and the other shall be filed in the office of the City Recorder.

SEC. 37.—The person receiving the greatest number of votes for any office in said city or ward, shall be deemed to have been duly elected to such office; and if any officer shall not have been chosen by reason of two or more candidates having received an equal number of votes, the Common Council shall at the meeting mentioned in the preceding section, determine, by lot, between such persons, which shall be considered elected to such office. Who deemed elected. Tie, in case of.

SEC. 38.—It shall be the duty of the City Recorder, within five days after the meeting and determination of the Common Council, as provided in section thirty-six, to notify each person elected of his election. And he shall also within five days after the Common Council shall appoint any person to any office, notify such person of such appointment. Notice to persons elected or appointed.

SEC. 39.—Within one week after the expiration of the time in which any official bond or oath of office is required to be filed, the City Recorder shall report in writing to the Common Council the names of all persons elected or appointed to any office, who shall have neglected to file such oath and the requisite bond or security for the performance of the duties of his office. Neglect to file oath and bond, report of.

SEC. 40.—The expenses of all elections to be held as provided by this act, shall be chargeable to said city, and be defrayed in the same manner as other contingent expenses of this city. Elect: on exp-
penses.

MAYOR.

SEC. 41.—It shall be the duty of the Mayor to preside at all meetings of the Common Council; and he shall be the chief executive officer of the city. It shall be his duty to cause all the officers of said city to comply with and faithfully discharge their official duties; and cause all laws pertaining to the municipal government of said city, and all ordinances, resolutions and regulations of the Common Council, to be observed and executed, and to exercise a constant supervision and control over the conduct of all subordinate officers, and to receive and examine all complaints against them for neglect of duty; to recommend to the Common Council such measures as he shall deem expedient; to expedite such as shall be resolved upon by them, and in general to maintain the peace and good order, and advance the prosperity of the city. Mayor,
duties of

SEC. 42.—In the case of the absence or disability of the Mayor, or of any vacancy in his office, the President *pro tempore* of the Common Council is hereby authorized and re- In case of ab-
sence or disa-
bility.

quired to do and perform all the duties and trusts appertaining to the office of Mayor until the Mayor resumes his duties, or another be elected and qualified.

ALDERMEN.

Aldermen,
duties of.

SEC. 43.—It shall be the duty of every Alderman in said city to attend the regular and special meetings of the Common Council; to act upon committees when thereunto appointed by the Mayor or Common Council; to order the arrest of all persons violating the ordinances, by-laws, or police regulations of said city; to report to the Mayor all subordinate officers who are guilty of any official misconduct or neglect of duty, and to maintain peace and good order in said city.

Not to hold
certain offices.

Not to be in-
terested in
contracts.

SEC. 44.—No Alderman or member of the Common Council shall, during the period for which he was elected, be appointed, or be competent to hold any office, the emoluments of which are paid from the city treasury, or paid by fees directed to be paid by any act or ordinance of the Common Council, or be directly or indirectly interested in any contract, as principal, surety or otherwise, the expenses or consideration whereof, are to be paid under any ordinance of the Common Council; but this section shall not be construed to prevent the Mayor and Aldermen from receiving a salary not exceeding fifty dollars a year each, and such other fees also as are prescribed by this act.

CITY RECORDER.

City Recorder,
duties of.

Papers certi-
fied by to be
evidence.

To enter and
sign license.

SEC. 45.—The City Recorder in addition to the other duties imposed upon him by this act, shall keep the corporate seal, and all the papers and files belonging to said city as a corporation, not properly by this act in the custody of some other officer thereof, and shall make a record of the proceedings of the Common Council, whose meetings it shall be his duty to attend, and shall make and preserve a record of all ordinances and by-laws passed by the Common Council, in proper books to be provided therefor; and copies of all papers duly filed in his office, and transcripts from the records of the proceedings of the Common Council, certified to by him under the corporate seal of the city, shall be evidence in all places, of the matters therein contained; he shall countersign all licenses granted for any purpose whatever by the Mayor or Common Council, and shall enter in an appropriate book the name of every person to whom a license shall be granted, and the number of such licence, and the date thereof, and the time during which it is to be continued in force, and the sum paid for such license, and shall be

collector of taxes in and for said city. No license for any purpose shall be valid until thus countersigned by the Recorder; and he shall also perform such duties as are or may be required of township clerks, in all cases in which he is authorized or required by this act to perform the duties of township clerk, and for such services he shall receive the same fees as they are entitled to receive under the laws of this State; he is also hereby authorized and empowered generally to administer oaths and to take affidavits. Before entering upon the duties of his office he shall execute to the city of Adrian a bond in such sum as the Common Council shall direct and with sufficient sureties to be approved by the Common Council, conditioned for the faithful performance of the duties of his office.

To collect taxes.

To perform duties of township clerk. Fees of.

May administer oaths.

SEC. 46.—The City Recorder shall be the sealer of weights and measures of said city, and shall under the direction of the Common Council perform all the duties of township clerk, so far as the same shall apply to the sealing of weights and measures; and the laws of this state relating to the sealing of weights and measures shall apply to said city.

Sealer of weights and measures.

SEC. 47.—The City Recorder shall keep an accurate account under appropriate heads of all expenditures, and of all orders drawn upon the City Treasury, specifying the purpose for, and the fund on which such orders were drawn, which account shall be kept in books provided for that purpose.

To keep city accounts.

SEC. 48.—The City Recorder may, by the direction of the Common Council appoint a deputy, to be approved by the Common Council, and such deputy shall, in the absence or inability of the Recorder to perform the duties of his office, perform all the duties of Recorder as fully as the Recorder might, or could of right, do the same.

Deputy Recorder.

CITY TREASURER.

SEC. 49.—The City Treasurer shall have the custody of all moneys belonging to said city; he shall receive all moneys belonging to and receivable by the corporation, and keep an account of all receipts and expenditures thereof; he shall pay no moneys out of the treasury except in pursuance of, and by authority of law and upon warrants signed by the Recorder and countersigned by the Mayor, which shall specify the purpose for which the amount is to be paid; he shall keep an account of and be charged with all moneys received for each fund of the corporation and shall pay every warrant out of the particular fund constituted or raised for the purpose for which said warrant was issued, and having the name of such fund endorsed thereon by the Recorder. He

City Treasurer, duties of.

To keep accounts.

To exhibit
accounts.

Annual re-
port.

To be treas-
urer of pub-
lic schools.

To perform
certain du-
ties of town
treasurer.

shall exhibit to the Common Council as often and for such periods as may be required, a full and detailed account of all receipts and expenditures, classifying them by the fund to which such receipts are credited, and out of which such expenditures are made, and shall also, when required, exhibit a general statement showing the financial condition of the treasury, which account, report and statement shall be filed in the office of the Recorder. He shall also exhibit to the Common Council within five days after the annual city election a full account of all receipts and expenditures of the funds of said city since and after the date of his or the last annual report, and also the state of the treasury, which account shall be filed and published in the same manner as provided in section one hundred and one of this act.

SEC. 50.—The Treasurer of said city shall be the Treasurer of the Public Schools of the city of Adrian, and shall have the custody of all funds and moneys belonging to the same, and is hereby authorized to receive from the County Treasurer of Lenawee county, all moneys coming into his hands for school and library purposes to which the school district known as the Public Schools of the City of Adrian, may be entitled; and for this purpose the said school district shall be considered by said County Treasurer the same as a township under the laws of the state in relation to the distribution of school and library moneys; and the said City Treasurer in relation to such school and library moneys, shall perform the same duties as are required of township treasurers, and he shall receive all moneys collected within said district for school and school-house purposes, and the proceeds of all fines and penalties collected in said city which are required by law to be appropriated for library purposes, and shall dispose of the same as required by law.

CITY MARSHAL.

City Marshal.

Powers and
duties.

SEC. 51.—The City Marshal shall be the chief of the police of the city, and it shall be his duty to serve all processes for the purpose of enforcing any of the ordinances of said city; and it shall be his duty to see that all the laws, ordinances and regulations passed by the Common Council are promptly and efficiently enforced; he shall obey all lawful orders of the Mayor and Common Council, and shall attend the meetings of the Common Council, and may command the aid and assistance of all constables and other persons in the discharge of the duties imposed upon him by law; he shall have power and authority, and it shall be his duty, with or without process, to apprehend any person found disturbing the peace or offending against any of the by-laws and ordinances of the city, and forthwith take such

person before said police justice of said city, to be dealt with as the by-laws and ordinances of said city shall provide; and shall apprehend and imprison any person found drunk by him in the streets, until such person shall become sober, and shall be authorized to command the assistance, in the discharge of such duties, of any of the citizens, if deemed by him necessary; and he is hereby vested with all the powers conferred by law upon constables elected in townships, except the power of serving processes in civil cases, and he shall within said city arrest any person or persons guilty of any violation of any of the penal laws of this state and forthwith take the person or persons so arrested before some justice of the peace of said city, to be dealt with according to law, and shall make or cause to be made the proper complaint against such offenders, and shall perform all the duties that may be required of him by the by-laws or [and] ordinances of said city.

CITY RECORDER AS COLLECTOR OF TAXES.

SEC. 52.—The City Recorder shall collect all taxes and moneys levied and assessed within said city for city purposes and for defraying the expenses of said city, within such time and in such manner as the Common Council shall by [ordinances] ordinance direct, except as herein otherwise provided. And all moneys so collected or received by him for the purposes aforesaid, shall be paid over to the City Treasurer immediately after the collection thereof.

To collect
city taxes.

SEC. 53.—The City Recorder shall be the collector of all taxes, assessed or levied for state, county and school purposes in said city; and it shall be his duty to perform and discharge the same duties, in relation to the collection and return of taxes, which may be assessed or levied in the several wards of said city for state, county and school purposes, that are now or may be required to be performed by township treasurers in this state; and he shall enter into a bond to the County Treasurer of Lenawee county, for the purposes and in the manner now required of such township treasurers, to be approved by said County Treasurer; and shall also enter into a bond, with sufficient sureties, to the Treasurer of said city, who is hereby authorized to take and approve the same, conditioned that he will pay over to said City Treasurer all moneys for school purposes, library and school-house purposes, collected in said city which may come into his hands by virtue of his office.

To collect
state, county
and school
taxes.

To perform
duties of
town treasurer.

To give bond
to county
treasurer.

To give bond
to city
treasurer.

§ 52. Amended Laws 1869, Vol. 2, pp. 468, 469, No. 285, March 16, and Local Acts 1879, p. 131, No. 340, April 3.

§ 53. Amended Laws 1869, Vol. 2, p. 469, No. 285, March 16, and Local Acts 1879, p. 131, No. 340, April 3.

May appoint
deputy.

SEC. 54.—The City Recorder may, with the approval of the Common Council, appoint a deputy, and revoke such appointment at pleasure, which appointment and revocation shall be in writing under his hand, and shall be filed in the office of the City Recorder; and such deputy may perform all the duties of the Recorder. The Recorder and his sureties shall be responsible for the acts of the deputy, and all his clerks, assistants and employees; and in case of the death, resignation or removal of the Recorder, by any other means, the deputy shall perform the duties pertaining to the office of City Recorder until such vacancy shall be supplied.

Powers and
duties of
deputy.

STREET COMMISSIONER.

Street Com-
missioner, du-
ties of.

SEC. 55.—It shall be the duty of the Street Commissioner or Commissioners, to perform or cause to be performed and executed, all such labor, repairs and improvements upon the highways, streets, sidewalks, lanes, alleys, bridges, reservoirs, drains, culverts, sewers and public grounds, and parks, in said city as the Common Council shall direct; and to oversee, do and perform generally whatever may be required of him in relation thereto by the Common Council, and it shall be his duty to make a report to the Common Council in writing and on oath once in each month, which report shall contain an exact statement of all labor performed by him or under his supervision, and the charges therefor; and the amount of material used and the expense thereof, and the street or place where such labor was performed and the material used, and shall further show the items and purpose of all other expenses incurred since his last preceding report; and thereupon the Common Council shall audit and allow such part of such charges and expenses as appear to be just; but no such charges or expenses shall be allowed or paid until they shall have been reported as aforesaid.

To report to
Common
Council
monthly.

CONSTABLES.

Constables,
fee and
powers of.

SEC. 56.—The Constables of said city shall receive the same fees and have the like powers and authority in matters of civil and criminal nature, and in relation to the service of all manner of process, as are conferred by the laws of this state upon constables in townships; and they shall have power to serve all processes issued for breach of any ordinance of said city.

Official
bonds of

SEC. 57.—Every Constable before entering upon the duties of his office, shall file in the office of the City Recorder such security for the performance of his office as is required by law of constables in townships, except that his sureties and bond may

§ 54. Amended Laws 1869, Vol. 2, p. 469, No. 285, March 16, and Local Acts 1879, pp. 131, 132, No. 340, April 3.

be approved by the City Recorder. The Constables of said city shall obey all the lawful orders of the Mayor and Aldermen, ^{Duties of} and of any person legally exercising the criminal jurisdiction of a Justice of the Peace in said city, and shall discharge all the duties that shall be lawfully required of them by any ordinance, resolution or regulation of the Common Council; and in case of any neglect or refusal so to do, he or they shall be subject to a ^{Penalty for} penalty of not less than one, nor more than twenty-five dollars. ^{neglect of} ^{duty.}

JUSTICES OF THE PEACE.

SEC. 58.—The several Justices of the Peace in and for said city shall also be deemed Justices of the Peace in and for the ^{Justices of} county of Lenawee, and shall have, in addition to the jurisdiction ^{the Peace,} conferred on them by this act, the same jurisdiction, ^{civil and} powers and duties as are conferred on Justices of the Peace ^{criminal ju-} elected in townships; *Provided*, That all actions and suits within the jurisdiction of Justices of the Peace, under and by virtue of the laws of this state, may be commenced and prosecuted before any Justice of the Peace of said city, when the plaintiff or defendant, or one of the plaintiffs or one of the defendants shall reside in the city of Adrian, or in either of the townships of Adrian or Madison, or in any of the townships adjoining to or cornering upon either of the townships of Adrian or Madison in said county, and also when the plaintiff or plaintiffs are not residents of this state. And such Justices shall have all the authority and perform the same duties as Justices of the Peace elected in townships, in criminal matters.

SEC. 59.—The Police Justice in said city is hereby authorized and empowered to enquire of, hear, try and determine, in a summary manner, all offenses which shall be committed within the limits of said city, against any of the by-laws and ordinances that shall be made or adopted by the Common Council in pursuance of the powers granted by this act, and to punish the offenders, as by the said laws or ordinances shall be prescribed or directed; and such Justice shall have original jurisdiction and power to hear, try and determine all charges, complaints, actions and prosecutions for the recovery or enforcing of any and all fines, penalties or forfeitures for alleged violations or infringements of the acts of the Legislature of this state incorporating said city except in cases where jurisdiction is given to some other courts; and all actions for encroachments upon, or injury to, any of the streets, lanes, alleys, bridges, parks, buildings, trees, fences, gates, or any other private or public improvements within said city; the proceedings in all such ac-

^{Police Justice.}

^{In cases of} ^{violations of} ^{ordinances.}

^{For violation} ^{of this act}

^{For encroach-} ^{ments upon} ^{streets and} ^{other injuries.}

Practice in
proceedings
before.

tions and prosecutions shall be according to and governed by the general laws and rules of practice of this state, applicable to courts of Justices of the Peace.

Trial by jury
and mode of
proceedings.

SEC. 60.—In all trials before any Justice of the Peace, under the provisions of this act, or any person charged with any violation of any by-law or ordinance of said city, he shall be entitled to a trial by a jury of six persons; and all the proceedings for selecting and summoning such jury and in the trial of the cause, shall be in conformity, as near as may be, with the mode of proceedings in criminal cases, before Justices of the Peace; and in all cases the right of appeal and certiorari from the Justice's Court to the Circuit Court for said county of Lenawee, shall be allowed to the parties on the same terms, and the same recognition or bond shall be given as is or may be required by law in cases of certiorari or appeals from Justice's Courts in other cases.

Certiorari
and appeals.

Costs on con-
viction to be
paid into city
treasury.

SEC. 61.—Whenever a conviction is had, or judgment rendered for any fine, penalty or forfeiture for a violation of this act or of any ordinance of said city, it shall be with costs of suit, and execution shall issue therefor, and all such fines, forfeitures and costs when collected shall be paid into the city treasury.

Execution,
when to issue,
and contents of.

SEC. 62.—Every execution for any penalty or forfeiture recovered for the violation of any of the provisions of this act, or for the violation of any by-law or ordinance of said city, may be issued immediately on the rendition of the judgment, and shall command the amount to be made of the property of the defendant, if any such can be found, and if not, then to commit the defendant to prison for such time as shall have been directed by the ordinance of the Common Council; and in cases where both fine and imprisonment are imposed upon the person so convicted by the judgment of such Justice of the Peace, he shall issue the necessary process to carry such judgment into effect.

Police Justice
May imprison
in county jail
or state house
of correction.

SEC. 63.—The Police Justice of said city shall have power, in all cases where, by the provisions of this act or of any ordinances of said city, any person who may be sentenced to imprisonment, to imprison in the jail of the county of Lenawee, in the same manner as any court of record of this state, or other competent authority, is authorized to commit to said jail; and in all cases where the term of such imprisonment shall exceed ninety days, such person may be sentenced to confinement in the state house of correction at Ionia, and it is hereby made the duty of the keeper of said county jail to receive such persons as shall be brought to his custody by authority of any Justice of said city, or of any officer of said city authorized to commit such persons.

§ 61. Amended Local Acts 1879, p. 132, No. 340 April 3.

§ 63. Amended Local Acts 1879, p. 132, No. 341, April 3.

SEC. 64.—All suits for the violation of any ordinance or by-law of said city, or to recover any penalty or forfeiture for such violation, shall be brought in the name of the city of Adrian; and in any such suit or prosecution, it shall not be necessary to set forth in the complaint or warrant, the ordinance or any section thereof, the provisions of which are alleged to have been violated, except by its title; but it shall be sufficient to state in the complaint and warrant with reasonable certainty of time and place, the act, violation or offence complained of, and to allege the same to have been committed in violation of the provisions of an ordinance of the city of Adrian, referring thereto by its title. And all process issued by any Justice of the Peace in any such suit or proceeding, shall be directed, "To the City Marshal of the city of Adrian, or to any Constable of the county of Lenawee," and may be executed anywhere within the county of Lenawee.

Certain suits to be in name of city.

Ordinances, how set forth in complaints and warrants.

Process, how directed, and where executed.

SEC. 65.—The Justices of the Peace of said city, when engaged in cases for the violation of the ordinances of said city, shall collect the same fees for their services as are allowed by law to Justices of the Peace in criminal cases, which fees and costs shall be paid into the city treasury as in this act provided.

Fees of Justice.

SEC. 66.—All fines, penalties, forfeitures, and costs, recovered before such Police Justice of said city for violation of any ordinances [ordinance], by-law or regulations [regulation] of the city of Adrian, and all fines, penalties and forfeitures recovered before any Justice of the Peace of said city, for violation of any of the penal laws of this state, when collected and received by him, and all moneys received by him for and on account of any of the fines, penalties or forfeitures above mentioned, shall be paid over by such Justice of the Peace to the City Treasurer on the first Monday of the month next succeeding the day when such moneys were so received. And every Justice of the Peace of said city shall report on oath to the Common Council at the first regular meeting thereof in each month during the term for which he shall perform the duties of such Justice, the number and name of every person against whom a judgment shall have been rendered for any of the fines, penalties or forfeitures in this section mentioned, and the amount of all moneys received by him on account thereof, or on account of any such suit, prosecution or proceeding to recover any such fine, penalty or forfeiture.

Police Justice Fines and penalties to be paid into treasury.

Justices to report to common council monthly.

SEC. 67.—In addition to the security required by law to be given by Justices of the Peace in townships for the performance of their official duties, each of the Justices of the Peace of said

Justice to give bond to the city of Adrian.

§ 65. Amended Local Acts 1879, p 132, No 340, April 3.

§ 66. Amended Local Acts 1879, pp. 132, 133, No. 340, April 3.

Condition of. city, before entering upon the duties of his office, shall execute a bond to the city of Adrian, in a penalty of one thousand dollars, with sufficient sureties, to be approved by the Mayor of the city, which approval shall be endorsed on said bond, conditioned for the faithful performance of his duties as a Police Justice of said city, and to pay over to the City Treasurer all moneys that shall be collected by him as such Police Justice, and all moneys that shall be collected or received by him for fines, penalties and forfeitures for the violation of any ordinance, by-law or regulation of said city, and all other moneys that shall be collected or received by him, which by the provisions of this act or by the provisions of any ordinance, by-law or regulation of said city of Adrian, or by the provisions of any law of this state, are or shall be required to be paid to the Treasurer of said city, and to make his report to the Common Council as in this act required; which bond shall be filed in the office of the City Recorder.

Citizens competent as jurors. SEC. 68.—In suits or proceedings in which the city of Adrian shall be a party or shall be interested, no inhabitant of said city shall be incompetent to serve as a juror, on account of his interest in the event of such action or suit; *Provided*, his interest be such only as he has in common with the inhabitants of said city.

Expenses of criminal prosecutions and for violation of ordinances. SEC. 69.—The expenses of apprehending, examining and committing offenders against any law of this state, in said city, and of their confinement, shall be audited and allowed by the Supervisors of the county of Lenawee, and paid by said county in the same manner as if such expenses had been incurred in any township of said county. And the expenses of apprehending, committing and punishing offenders against the ordinances and regulations of said city, shall be paid by said city.

ORDINANCES.

SEC. 70.—The style of all ordinances shall be:

“The City of Adrian ordains”—

Ordinances, when to take effect, &c. The time when any ordinance passed by the Common Council shall take effect shall be fixed and prescribed in the ordinance.

What penalties may be prescribed for violations of. SEC. 71.—Where, by the provisions of this act, the Common Council have authority to pass ordinances on any subject, they may prescribe a penalty, not exceeding one hundred dollars (unless a greater penalty is herein authorized), or imprisonment not exceeding ninety days, or both in the discretion of the court, together with the costs of prosecution, for a violation of any of said ordinances, and may provide that the offender, on failing to pay any fine, penalty or forfeiture, together with the costs of prosecution, may be imprisoned in the county jail of Lenawee

county for any term not exceeding ninety days. Penalties may be sued for and recovered, with costs, in the name of the city of Adrian.

SEC. 72.—No ordinance passed by the Common Council shall have any force or effect, if before the time when the same is ordered to take effect, the Mayor or other officer or person legally discharging the duties of Mayor, shall lodge in the office of the City Recorder a notice in writing suspending the operation of such ordinance, together with his reasons in writing, why the same should not go into effect, unless at a subsequent meeting of the Common Council, said ordinance shall be again passed by a majority of two-thirds of all the members of the Common Council then in office, exclusive of the Mayor or other officer or person legally exercising the duties of the office of Mayor; and if so repassed, the ordinance shall go into effect at such time as the Common Council shall direct. If such reasons shall not be lodged with the Recorder, as above provided, such ordinance shall have the same operation and effect as if no notice suspending the same had been lodged with the City Recorder; *Provided*, that where the time fixed for any ordinance to take effect shall be less than three days from the passage thereof, such notice and reasons may be filed within three days after the passage of the same, and the operation of such ordinance shall thereupon be suspended, unless and until the same shall be again passed by a majority of two-thirds of the Common Council, in the manner hereinbefore provided. Mayor may veto.

SEC. 73.—It shall be the duty of the City Recorder to communicate to the Common Council, at its next meeting, any paper that may be lodged with him pursuant to the provisions of the last preceding section. Recorder to report veto.

SEC. 74.—All ordinances shall, within one week after the passage thereof, be published in at least one newspaper printed and published in said city of Adrian, and like notice shall be given of the amendment or repeal of any ordinance. Ordinances to be published.

SEC. 75.—Whenever by the provisions of this act, any power or authority is given or duty imposed upon the Common Council, the Common Council may enact such ordinances, and establish such rules and regulations as may be necessary to carry into effect such powers and authority, and to regulate the performance of such duty. What ordinances may be enacted.

SEC. 76.—All laws, regulations and ordinances of the city of Adrian may be read in evidence in all courts of justice, and in all proceedings before any officer, body or board, in which it shall be necessary to refer thereto, either

I. From a record thereof kept by the City Recorder;

‡ 72. Amended Laws 1867, Vol. 2, pp. 1023, 1024, No 497, March 27.

II. From a copy certified by the City Recorder under the seal of the city of Adrian;

Ordinances,
how proved.

III. From any volume of ordinances purporting to have been written or printed by authority of the Common Council; and such record, certified copy, written or printed volume shall be *prima facie* evidence of such laws, regulations and ordinances, and of the passage and due publication thereof, without proof of the enactment, publishing or any other thing concerning the same.

COMMON COUNCIL.

Quorum.

SEC. 77.—The Mayor and Aldermen when assembled and duly organized, shall constitute the Common Council of the city of Adrian, and the Mayor, or in case of his absence, the President *pro tempore*, and a majority of the Aldermen elect, or, in case of the absence of both the Mayor and President *pro tempore*, then any six of the Aldermen shall constitute a quorum for the transaction of business, but a less number may adjourn the Council from time to time. But no tax or assessment shall be ordered, nor any appointment of any person to any office be made, nor shall any person be removed from office, nor shall any ordinance creating or abolishing any office be passed except by a concurring vote of a majority of all the members of the Common Council.

Times of
meetings.

Fines for non-
attendance of
Aldermen and
city officers.

SEC. 78.—The Common Council shall meet at such times as it shall determine, and at such other times as the Mayor, or in case of his absence, the President, *pro tempore*, shall appoint. The Common Council shall have power to impose, levy and collect such fines as it may deem proper for the non-attendance of the members or officers thereof at its meetings, and also to require the attendance of any of the officers of said city at any of its meetings, and to impose fines for non-attendance.

To appoint
President
pro tempore.

SEC. 79.—It shall be the duty of the Common Council within thirty days after each annual election, and at such other time as there may be a vacancy in such office, to appoint one of their number to be President *pro tempore* of the Common Council. If at any meeting of the Common Council, neither the Mayor or President *pro tempore* shall be present, the Common Council may appoint one of their number to preside.

Votes in,

SEC. 80.—In the proceedings of the Common Council, each member present shall have one vote, except the Mayor; *Provided*, That when there shall be a tie, the Mayor shall give the casting vote.

Sessions of
council to be
public and
proceedings
to be published.

SEC. 81.—The sessions of the Common Council shall be public, and full minutes of the proceedings shall be kept by the

Recorder, and the same shall be open at all times for public inspection, and together with all ordinances, resolutions, by-laws, and regulations adopted, shall be published within one week after such sessions in at least one newspaper printed and published in said city, and said proceedings of the Council shall be published in a daily newspaper of said city, provided the same can be so published at an expense not exceeding two hundred dollars, nor less than one hundred dollars in any one year.

SEC. 82.—Whenever required by two members, the votes of all the members of the Common Council in relation to any act, proceeding or proposition had at any meeting, shall be entered at large in the minutes, and such votes shall be entered in relation to the adoption of any resolution or ordinance, report of a committee or other act, for taxing or assessing the property in said city; or the citizens of said city, or involving the appropriation of money.

SEC. 83.—The Common Council shall prescribe the rules for its proceedings. The Common Council, in addition to the powers and duties specially conferred upon them in this act, shall have the management, control and supervision of the highways, streets, bridges, lanes, alleys, parks and publicgrounds therein, of the finances, rights and interests, buildings and all property, real and personal, belonging to the city, and may make such ordinances and by-laws relating to the same as they shall deem proper and necessary; and, further, they shall have power, within said city, to enact, make, continue, establish, modify, amend, and repeal such ordinances, by-laws and regulations as they may deem desirable within said city, in relation to, and for the following purposes:

1.—To prevent vice and immorality, to preserve public peace and good order, to prevent and quell riots, disturbances and disorderly assemblages.

2.—For the apprehension and punishment of vagrants, drunkards and disorderly persons.

3.—To suppress all disorderly houses, and houses of ill-fame, all gambling houses, and all houses and places where persons resort for gaming, or to play at games of chance, and to punish the keepers thereof.

4.—To prohibit every species of gaming, and to restrain and suppress billiard tables and bowling alleys.

5.—To prevent the selling or giving away of any spirituous or fermented liquors to any drunkard, minor or apprentice.

6.—To prohibit and regulate the sale of all goods, wares and personal property at auction, except in cases of sales authorized by law, and to fix the fees to be paid by and to auctioneers.

7.—To license and regulate auctioneers, peddlers and pawn brokers, and auctions, and hawking and peddling; and to license

When votes to be entered in minutes.

Rules of proceeding.

To manage streets grounds and public property.

To enact ordinances in relation to.

Public peace and good order

Drunkards.

Disorderly houses.

Gaming.

Intoxicating liquors.

Auctions.

Licenses.

and regulate the peddling and sale of jewelry, goods, merchandise and other property by hand, hand cart, show case, show stand or otherwise in the public streets.

Sports and
exhibitions.

8.—To prohibit, restrain and regulate all sports, exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses, or other performances and exhibitions for money.

Sabbath and
public meet-
ings.

9.—To prevent the violation of the Sabbath, and to require all saloons, drinking houses, shops and other places of business to be closed on the Sabbath day; and to prevent the disturbance of any religious congregation, or other public meeting assembled for any lawful purpose.

Nuisances.

10.—To prohibit, prevent, abate and remove all nuisances in said city, and punish the persons occasioning the same; and to declare what shall be considered nuisances, and direct and authorize their speedy or immediate abatement or removal by the Marshal of the city.

Cleansing un-
wholesome
places.

11.—To compel the owner or occupant of any grocery, tallow chandler shop, soap or candle factory, butcher shop or stall, slaughter house, stable, barn, privy, sewer, or other offensive, nauseous or unwholesome place or house, to cleanse, remove or abate the same, whenever the Common Council shall deem it necessary for the health, comfort or convenience of the inhabitants of said city.

Slaughter
houses,

12.—To direct the location and regulation of all slaughter houses and markets in said city.

Shops and
mechanical
trades.

13.—To regulate, restrain and prohibit the location and erection of shops, and the carrying on of mechanical and other trades and vocations in such places and parts of said city as the Common Council shall designate.

Gunpowder,
fires and fire-
works.

14.—To regulate the buying, selling and using of gunpowder, fire-crackers and fire-works, and other combustible materials, and the exhibition of fire-works, and the discharge of fire-arms, and to restrain the making or lighting of fires in the streets and other open spaces in said city.

Incumbrances
in streets.

15.—To prevent the incumbering of streets, sidewalks, crosswalks, lanes, alleys, bridges and public grounds in any manner whatever, and to compel the occupants of lots to clear the sidewalks in front of and adjacent thereto, of snow, ice, dirt and every incumbrance and obstruction.

Immoderate
riding or
driving.

16.—To provide against horse racing and immoderate riding or driving in any street or over any bridge, and to punish for the same; and to authorize the arresting and detaining of any person who shall be guilty of such immoderate riding or driving.

17.—To regulate the use and speed of locomotives, engines and cars upon the railroads within said city.

18.—To regulate and prohibit bathing in the river, ponds Bathing. and streams in said city.

19.—To provide for clearing the river, ponds and streams in said city and the races connected therewith, of all driftwood and Cleansing rivers, ponds, &c. therein. noxious matter; and to prohibit and prevent the depositing of all filth and other matter tending to render the waters thereof impure, unwholesome and offensive.

20.—To restrain and punish drunkards, vagrants, beggars, Vagrants and lewd behavior. and persons soliciting alms, and to restrain and punish all lewd and lascivious behavior in the streets and public places in said city.

21.—To establish one or more pounds, and regulate and restrain the running at large of cattle, swine, horses and other animals, and geese and poultry, in the streets and public places in said city; and to authorize the impounding and sale of the same for the penalty incurred, and the costs of keeping and impounding. Pounds and impounding.

22.—To impose taxes on the owners or keepers of dogs, and to prohibit the running at large of dogs, and to authorize their destruction when running at large in violation of any ordinance of said city. To tax dogs.

23.—To provide burial places, and to regulate the burial of the dead within said city, and to protect and preserve any cemetery in said city. Burial of dead.

24.—To prohibit the bringing and depositing within the city any offensive carcass or other unwholesome or offensive substance, and to require the removal beyond the limits of the city, of any such carcass or substance, and to authorize the removal or destruction thereof by some officer of the city. Offensive matter.

25.—To regulate the ringing of bells and the crying of goods, and to prevent disturbing noises, and obscene and profane language in the streets. Bells and disturbing noises.

26.—To provide for the lighting of the streets and alleys, and the protection of the public lamps. Lighting streets.

27.—To regulate and establish the line upon which buildings may be erected upon any street, lane or alley in said city, and to compel such buildings to be erected upon such line by a fine upon the owner or builder thereof, not exceeding five hundred dollars for each offence. Erection of buildings.

28.—To establish order and regulate markets; to regulate the vending of wood, meats, vegetables, fruits, fish and provisions of all kinds. Markets.

29.—To prescribe and designate the stands for carriages of all kinds that carry persons for hire, and carts and drays; and to prescribe the rates of fare and charges, and to designate the stand or stands for wood, and hay and produce exposed for sale in said city; and to regulate and require the weighing of hay Stands for sale of hay and wood.

and the measuring of fire-wood; and for that purpose to appoint some person to measure all fire-wood brought into the streets of said city for sale.

To license omnibuses, &c.

30.—To license all drays and omnibuses, hacks and other vehicles used for the transportation of persons and property for hire, and to prohibit their use without license.

Shade trees,

Ordinances generally.

31.—To regulate the setting of shade trees in the streets, and generally to make all other ordinances and regulations that the Common Council may deem necessary to the safety, order and good government of the city, not inconsistent with the laws and constitution of this state.

City cemetery.

SEC. 84.—The Common Council shall have power to purchase and to hold a suitable lot or lots of land within or without the corporation limits, for the purpose of a city cemetery or cemeteries, and they shall make such rules and regulations regarding the same as they may deem necessary, and may cause the same to be surveyed into suitable lots, and may dispose of the same to purchasers, and thereupon cause to be executed to such purchasers good and sufficient deeds in the corporate name of said city, which deed shall be signed by the Mayor and Recorder of said city.

And sale of lots in.

City hall and watch-house.

SEC. 85.—The Common Council shall have power, whenever in their opinion the necessities of the city require, to construct a city watch-house, city hall and city market, or markets, and to appoint the keepers, clerks and necessary officers thereof, and may locate such city watch-house, city hall and city market, or markets, within or without the city limits, and may make such regulations concerning the same as the Common Council may think proper.

Taverns, grocers, common victualers.

SEC. 86.—*First.* The Common Council shall have and exercise in and over said city the same powers in relation to the regulation of taverns, groceries, common victualers, saloon keepers and others as are now or may hereafter be conferred by the general laws of this state upon township boards, or upon corporate authorities of cities and villages, in relation to tavern keepers and common victualers, and subject to the same conditions and limitations, in addition to the powers herein otherwise granted; and the general laws of this state now in force, or which may hereafter be enacted, in relation to the regulation of taverns, groceries and common victualers, shall be deemed applicable to this city, unless otherwise limited.

Tavern keepers, saloon keepers, &c., to procure license.

Second. No person shall engage in, or exercise the business or occupation of tavern keeper, inn-holder, common victualer, or saloon keeper, within the limits of said city, until he is first licensed as such by the Common Council; and any person who shall assume to exercise such business or occupation, without having first obtained such license shall forfeit and pay for every

day he shall so exercise such business or occupation, the sum of ten dollars, to be recovered by action of debt in the name of the city of Adrian, before any Justice of the Peace of said city, together with the costs of prosecution. Penalties.

Third. The Common Council shall have power to grant licenses, to authorize persons to exercise the business of tavern keeper, inn-holder, common victualer, or saloon keeper, within said city, and may impose such fees, to be paid into the city treasury, on the granting of such licenses, as they may see fit. Council may grant licenses.

Fourth. The Common Council of said city is hereby authorized and empowered to restrain or regulate and to prohibit the keeping or maintaining of any saloon, restaurant, beer shop, beer hall or place where spirituous or fermented liquors are sold or disposed of as a beverage, and of all houses of ill-fame, and all places resorted to for gaming, or playing at any game of chance, and all other places resorted to for immoral purposes and practices, in all those portions of and places in the townships of Madison and Adrian which are within the distance of one-half of a mile from the corporate limits or boundaries of the city of Adrian, and may enact all suitable ordinances and regulations for the purpose of enforcing and carrying into effect the powers and authority in this subdivision of this section granted, and may punish any violations of such ordinances in the same manner as if such violations were committed within the city of Adrian; and all ordinances and police regulations for the preservation of the peace and good order, and for the protection of the persons and property of the inhabitants, or for any of the purposes in this subdivision specified, passed by said Common Council, whether heretofore passed or hereafter to be passed, shall have the same force and effect in all places within said distance of half a mile from said corporate limits as within said city, and all violations of such ordinances and regulations, committed within said distance from said corporate limits, may be punished in the same manner as if committed within said city, and the Mayor and constables and all police officers of said city shall have the same powers and authority for the preservation of the peace, and the maintenance of good order, and the protection of persons and property, in all places within said distance of half a mile from said corporate limits, as within said city. Council to have jurisdiction for certain purposes over adjoining townships within one-half mile of city.

POLICE.

SEC. 87.—The Common Council is authorized to enact such ordinances as it may deem necessary for the appointing, organizing and maintaining a police in said city, and may make rules for its government; and shall prescribe the duties of the

Official oath,
powers and
duties.

policemen, and may provide for the appointment of special policemen, as occasion and emergencies may require. Every policeman, before performing any of the duties of his office, shall take and subscribe the oath of office prescribed by the constitution of the state. Such policemen may be authorized by ordinance to serve any process issued by any Justice of the Peace for any violation of this act, or any of the ordinances of said city, and to receive the fees therefor.

PUBLIC HEALTH.

Board of health.

SEC. 88.—The Common Council may and it shall be its duty to make all such ordinances and regulations as may be necessary for the preservation of the public health, to restrain, regulate or prohibit the slaughtering of animals within said city; and also to prohibit the exercise within the city, of any vocation that may be unwholesome, noisome, offensive, or dangerous to the public health. The Common Council may also establish a board of health, and invest it with such powers and impose upon it such duties as may be necessary to secure the inhabitants of the city from contagious, malignant and infectious diseases; and may provide for its proper organization, and the election or appointment of the necessary officers therefor; and may make such by-laws, rules and regulations for its government and support as shall be required for enforcing the most prompt and efficient performance of its duties, and the lawful exercise of its powers.

FENCES.

Partition
fences.

SEC. 89.—The Common Council is authorized to enact all such ordinances and laws as it may deem proper relative to the building, rebuilding, maintaining and repairing of partition fences by the owners and occupants of adjoining lots, enclosures and parcels of land in said city; and relative to the assigning to the owners or occupants of such adjoining pieces of land, the portion of such partition fences to be maintained by them respectively; and may provide for the recording of such assignments and divisions when made; and may provide for the recovery of damages from any owner or occupant who shall fail to comply with the provisions and requirements of any ordinance relative to such partition fences. And the Common Council may appoint fence viewers and prescribe their duties and mode of proceeding in all cases relating to partition fences in said city.

Fence viewers.

Removal of
unsafe fences
and buildings.

SEC. 90.—Whenever in the opinion of the Common Council any building, fence or other erection of any kind or part thereof is liable to fall down, and persons and property may thereby be endangered, they may order any owner or occupant of the premises on which such building, fence or other erection stands, to

take down the same, or any part thereof, within a reasonable time, to be fixed by the order, or immediately, as the case may require; or may immediately, in case the order is not complied with, cause the same to be taken down at the expense of the city, on account of the owner of the premises, and assess the same on the land on which it stood. The order, if not immediate in its terms, may be served on any occupant of the premises, or be published in the city papers, as the Common Council shall direct.

MISCELLANEOUS.

SEC. 91.—The Common Council shall have power, by ordinance duly passed, to change, alter and determine the boundaries of any ward; *Provided*, That no ordinance shall be passed for the purpose of changing or altering the boundaries of any ward except by a concurring vote of all the members of the Common Council in office.

Council may
change bound-
aries of wards.

SEC. 92.—Said Common Council may borrow for the time being, in anticipation of receipts from taxes, such sum as may be necessary for the purpose of defraying the current expenses of the city, and working on streets and bridges to an amount not exceeding the amount of money previously levied for such purposes (in any one year, and to issue the bonds of the city therefor) and at a rate of interest not exceeding eight per cent. per annum. All moneys raised under and by virtue of the provisions of this section shall be regarded as temporary loans, and all bonds issued for such temporary loans shall be made payable on or before the first day of January next succeeding the date such loan was made and shall be paid out of the receipts from taxes for that year.

Council may
borrow money
in anticipation
of taxes.

SEC. 93.—The Mayor and City Recorder shall select and return lists of grand and petit jurors, in the same manner and within the same time that the same duty is required of township officers in this state.

Jury lists.

SEC. 94.—No exclusive grants or permits shall be made by the Common Council to any person, persons or corporation, for lighting the city or furnishing the inhabitants thereof with gas, or for any other purpose.

Exclusive
grants prohibi-
ted.

SEC. 95.—All fines, penalties, forfeitures and costs, recovered or collected for a violation of any ordinance, by-law or regulation made or passed by the Common Council of said city, and all fines, penalties and forfeitures recovered, collected or received by any officer of said city, for a violation of any law of this

Fines, how
disposed of.

§ 92. Amended Laws 1867, Vol. 2, p. 1026, No. 497, March 27, and Local Acts 1879, p. 133, No. 340, April 3.

§ 95. Amended Laws 1869, Vol. 2, pp. 469, 470, No. 285, March 16, and Local Acts 1879, pp. 133, 134, No. 340, April 3.

Penalty for
neglect to pay
over fines.

Proviso.

License money,
how disposed of

Defaulters,
who deemed
to be.

Poor persons
to be relieved
by Supervisors.

City Physi-
cian.

state, shall be paid to the Treasurer of said city by the officer receiving the same, immediately after the receipt thereof, and any officer or person who shall neglect or refuse to pay the same as aforesaid, shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished by a fine not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment in the county jail not less than three months, nor more than one year, or by both fine and imprisonment in the discretion of the court; *Provided*, That in case the officer receiving such moneys shall be a Justice of the Peace, he shall pay over the same at the times mentioned and provided in section sixty-six of this act, and all fines and penalties for the violation of the penal laws of this state, when paid into the treasury, as aforesaid, shall be disposed of as now provided by law.

SEC. 96.—All moneys received for licenses shall be paid into the city treasury, and shall be disposed of as the Common Council may direct.

SEC. 97.—Every person or officer of said city shall be deemed to be a defaulter who shall neglect to account for, deliver or pay over, any and all public moneys, or any books or papers pertaining to his office, or any and all moneys that shall have come to his hands by virtue of his office, for the period of sixty days from the time when, by the provisions of this act, or by the provisions of any law of this state, or of any ordinance, rule or regulations passed by the Common Council, he is or may be required to account for, deliver or pay over such money, books or papers, to the person or officer entitled to, or authorized to receive the same. And any person shall be deemed to be a defaulter who shall refuse or neglect for thirty days after demand made, to account for and pay over to the party or officer authorized to receive the same, any and all public moneys, or books or papers pertaining to his office, which may have come into his possession. And any officer of said city shall be deemed to be a defaulter who shall refuse or neglect for the period of sixty days, to make and file any report or statement in writing, which, by the provisions of this act, or by any ordinance, rule or regulation of the Common Council, he is or shall be required to make and file with said Common Council, or with any officer, or board of officers of said city.

SEC. 98.—The Supervisors of the several wards shall be authorized under the direction of the Common Council to afford temporary relief to all such poor persons within their respective wards as in their judgment, after due inquiry and examination, may require such relief, and cannot safely be removed to the county poor-house; and the Common Council may in their discretion appoint a City Physician (who shall not be a member of the Council), to give medical attention to such poor persons as

aforesaid, as may require such attention. And the Supervisors of said city shall also within their respective wards, do and perform such other duties and acts as are or may be required by law of Supervisors elected in townships, except as herein otherwise provided.

Supervisors,
duties of.

SEC. 99.—The Common Council is authorized to enact all such ordinances and by-laws as it may deem necessary for the protection and preservation of the monuments, tombstones, bridges, trees, shrubbery, property, ornaments and improvements in Oakwood cemetery, and the grounds thereof and the fences around the same, and may provide such penalties as it may deem proper for any violation of such ordinances and by-laws; and may by such ordinances authorize any officer, agent or other employee of said Oakwood cemetery association, to arrest on the spot, without process, any person found violating any such ordinance or by-law, and to take any such person before any Justice of the Peace of said city, to be dealt with summarily for such offence; and may provide for the keeping and may require the sexton or such other officer or employee of said cemetery association, as the Council shall designate, to keep for the use of said Council, a record of all interments in said cemetery, showing the disease and cause of death of all persons interred therein, and such other information as to the Council shall seem desirable.

Oakwood
cemetery,
protection of.

Arrest of
trespassers.

Record of
deaths.

SEC. 100.—Within twenty days and not less than ten days before the annual city election in each year, the Common Council shall audit and settle the accounts of the City Treasurer, and the accounts of all other officers and persons having claims against the city, or accounts with it, and which shall not have been audited previously; and shall make out a statement in detail, of the receipts and expenditures of the corporation during the preceding year, in which statement shall be clearly and distinctly specified the several items of expenditure made by the Common Council, the object and purpose for which the same were made, and the amounts of money expended under each; the amount of taxes raised for the general contingent expenses; the amount raised for lighting and watching (watering) the city; the amount of highway taxes and assessments for opening, paving, planking, graveling, repairing, altering, and grading streets, and building and repairing bridges; the amount of money borrowed on the credit of the city, and the terms on which the same was obtained, and shall in such statement include a correct and full account of the indebtedness of said city in bonds, temporary loans [loan], or otherwise, and which statement shall correctly

Annual settle-
ment of ac-
counts against
city.

General state-
ment to be
published in
daily paper.

§ 99. Amended Laws 1869, Vol. 2, p. 470, No. 285, March 16.
§ 100. Amended Local Acts 1879, p. 134, No. 340, April 3.

state the increase or decrease of the city debt during the year ending with such statement, and if such debt [debts] shall have been increased during the year, such statement shall show what such increased debt was incurred for and by what vote or authority it was incurred [increased], and shall also show how much and what part of such debt is due upon bonds, and how much upon temporary loans—when and to whom due, and the rate of interest paid on every part thereof, and such other information as shall be necessary to a full understanding of the financial concerns of the city; and shall publish said statements [statement] in a daily newspaper, if there be one in said city, at least one week before such annual city election.

Statement
how signed
and filed.

SEC. 101.—The said statement shall be signed by the Mayor and Recorder of said city, and filed with the papers in the City Recorder's office; the same shall be published by the Recorder, at the expense of the city, in some daily newspaper thereof, to be designated by the Common Council, within ten days after such annual election.

All accounts to
be verified
before allow-
ance.

SEC. 102.—Before any account or demand of any person against said city shall be audited, allowed or paid, the same shall be verified by affidavit, and shall set forth the items thereof and the amount of each item, with the proper dates in detail, which affidavit may be taken and certified by any member of the Common Council, or by any person authorized to administer oaths.

SUPERVISORS.

Supervisors to
levy and collect
taxes.

Fees of
supervisors.

To represent
wards on Board
of Supervisors.

SEC. 103.—The Supervisors of the several wards are hereby authorized and required to perform the same duties in their respective wards that the supervisors of townships, under the general laws of this state, are required to perform in relation to the assessing of property and levying taxes for state, county, school, and other purposes, and for such services they shall receive not to exceed the sum of one hundred and fifty dollars each as may be determined by resolution of the Common Council of said city, for each official year, said sum to be full compensation for all services performed by the several Supervisors of the several wards for the city, and to be paid out of the general fund of the city. For all other services performed for and to be paid for by the county they shall receive the same fees as Supervisors are entitled to; they shall also represent their several wards in the Board of Supervisors of the county of Lenawee, and shall be entitled to all the rights, privileges, and powers of the members of said Board of Supervisors. For the purpose of assess-

§ 101. Amended Local Acts 1879, p 134, No. 340, April 3.

§ 103. Amended Local Acts 1879, pp. 134, 135, No. 340, April 3.

ing all property equally in the whole city, the said Supervisors shall meet jointly at the office of the City Recorder, at the time required by the statute, for the purpose of reviewing, equalizing, and completing their assessments and assessment rolls for each of their several wards. When such assessment rolls shall be completed, they shall be delivered to the City Recorder, who shall immediately proceed to make therefrom a full and complete condensed copy of such assessment rolls, for the use of the Common Council; such copy shall be completed, and within fifteen days after receiving the same the said Recorder shall re-deliver said rolls to the respective Supervisors of each ward.

Reviewing
assessments.

Assessment
roll to be de-
livered to Re-
corder, etc.

SEC. 104.—The assessment in the several wards of the city, shall be made at the same time, and the assessment rolls completed, and all other proceedings had therein, in the same time and in the same manner as is or may be required by law for the assessment of property, and completing the assessment rolls in townships.

Assessment
rolls, when and
how completed.

TAXATION.

SEC. 105.—The Common Council shall have power to assess and collect from every male inhabitant of said city, over the age of twenty-one years (except paupers, idiots and lunatics), a list of whom shall be made by the Supervisors at the time of making their annual assessments, an annual capitation or poll tax, not exceeding one dollar, and they may provide by ordinance for the collection of the same; *Provided*, That such poll tax shall not be levied upon any person who is assessed for one hundred dollars of real or personal estate.

Poll tax.

SEC. 106.—The Common Council shall have power and authority to raise annually by tax, upon the real and personal property in said city liable to taxation, such sums not exceeding in any one year two per cent. of the assessed valuation of the property in said city for the year as they may deem necessary, to defray the expenses and liabilities incurred by said city or to carry into effect the powers hereby conferred on them; and they shall on or before the first day of October in each year determine by resolution the amount of taxes necessary to be levied for city and highway purposes during the year.

Tax for city
expenses.

SEC. 107.—Within five days after the Board of Supervisors of Lenawee county shall have completed the equalization of the valuation of the property in said city, and the townships of said county, for such year, said Common Council shall apportion the amount necessary to be raised by tax in said city, for city and

When and
how taxes to
be apportioned
among the
wards.

§ 105. Amended Local Acts 1879, p. 135, No. 340, April 3.

§ 106. Amended Laws 1867, Vol. 2, p. 1026, No. 497, March 27, and Local Acts 1879, p. 135, No. 340, April 3.

Special assessments also to be determined.

highway purposes, for the year, as mentioned in the last preceding section, among the several wards of said city, according to the valuation of the property appearing on the assessment rolls of said several wards for such year, as equalized by the Board of Supervisors; and shall also, within the same time, determine the sum or sums (if any) which they require to be assessed or re-assessed with the ordinary city tax for the year, upon the whole or any part of the property in any ward, to defray the expenses incurred or to be incurred, upon any street, sidewalk or other public or local improvement in such ward.

Recorder to certify the taxes as apportioned

SEC. 108.—The City Recorder, immediately after such apportionment, shall certify the amount so apportioned to each ward respectively, to the Supervisor of such ward; and if there

Also, to certify special assessments or re-assessments.

Taxes, how levied.

are any taxes or sums to be added to, assessed or re-assessed, with the ordinary city tax on any part of the lands or property in any ward to defray the expense of any public or local improvement as mentioned in the preceding section, the Recorder shall certify the same also, together with a description of the premises upon which such sum or tax is to be assessed or re-assessed to the Supervisor of the proper ward; and it is hereby made the duty of said Supervisors respectively to levy the sums so apportioned and such other taxes as may be required by law upon the taxable property of such wards, in the same manner as taxes for township purposes are required to be levied by the Supervisors of the townships of this state; *Provided*, That any sums or tax required to be assessed or re-assessed by any Supervisor, for the purpose of public or local improvements as aforesaid, shall be assessed upon those lands and premises only which are chargeable therewith.

Form of tax roll to be used.

No percentage for collection to be levied.

Taxes to be a lien same as state and county tax.

SEC. 109.—In making out the tax rolls for the several wards the same form shall be used by the Supervisors as is required by law to be used in townships, the city and highway taxes to be put in the column designated for township taxes; but no percentage for the charges or expenses of collecting any state, county, city or other tax assessed in such rolls, shall be added by the Supervisor. And every tax lawfully imposed by the Common Council upon any lands, tenements and hereditaments in said city, shall be and remain a lien upon such lands, tenements and hereditaments in the same manner and from the same time, that state and county taxes are by law made liens upon the lands upon which such state and county taxes are levied, and the owner or occupant or party interested in any such real or personal estate, shall be liable on demand to pay every such tax to be levied as in this act provided.

SEC. 110.—The Supervisor of each ward shall complete the

§ 110. Amended Laws 1869, Vol. 2, pp. 470, 471, No. 285, March 16, and Local Acts 1875, pp. 570, 571, No. 353, April 23, and Local Acts 1879, p. 135, No. 340, April 3.

tax roll of such ward and deliver the same to the City Recorder for collection, with the respective taxes for state, county, school, city and highway purposes levied and specified therein, as is required by this act and the laws of this state, within the time required by law for the completion and delivery of the township tax rolls to the respective township treasurers of this state, and shall annex to such roll his warrant to the City Recorder for the collection thereof, stating therein the sum to be raised for the city and highway purposes and the several amounts to be paid into the city and county treasuries respectively, and commanding the City Recorder to collect from the several persons named in said roll the several sums mentioned in the last column thereof, opposite their respective names, together with a percentage of six per centum upon the amount of every tax remaining unpaid on the first day of January then next, for the charges for the collection of the same, and to pay over and account for all moneys so collected and specified in said roll as directed in said warrant, on or before the first day of February then next, and the said warrant shall authorize the said Recorder, in case any person shall neglect to pay his tax, to levy the same by distress and sale of the goods and chattels of every such person.

Rolls to be delivered to recorder for collection.

Warrant to be annexed to roll.

SEC. 111.—Upon receiving the several ward tax rolls for the year from the Supervisors of the several wards, the City Recorder shall immediately give notice to the tax-payers of said city that such rolls have been delivered to him, and that the taxes therein specified can be paid to him at his office any time before the first day of January thereafter, without any charges or percentage for the collection thereof, but that six per centum will be added to all unpaid taxes on the said first day of January then next; which notice shall be given by publishing the same twice in each of the daily newspapers in said city, and by posting the same in three public places in each ward of said city; and proof by affidavit of the publishing and posting of such notices shall be filed in the office of the City Recorder; and it shall be the duty of the City Recorder to be at his office at such times previous to the said first day of January as the Common Council shall direct, and there receive payment for such taxes as may be offered to him.

Notice by Recorder, how given.

Proof of publication.

SEC. 112.—On the first day of January next after the receipt of said several tax rolls by said City Recorder he shall add to each unpaid tax a percentage of six per centum of the amount thereof, as stated in the tax rolls, and the amount of the tax, with said addition, shall henceforth be the unpaid tax; and

Percentage to be added to unpaid taxes.

§ 111. Amended Laws 1869, Vol. 2, pp. 471, 472, No. 285, March 16, and Local Acts 1879, p. 136, No. 340, April 3.

§ 112. Amended Laws 1869, Vol. 2, p. 472, No. 285, March 16, and Local Acts 1879, p. 136, No. 340, April 3.

Recorder to
collect unpaid
taxes.

thereupon the said Recorder shall proceed to collect said taxes remaining unpaid, and shall call once upon each person whose taxes remain unpaid, if a resident of the city, and demand payment of the taxes, including said percentage charged to him on said roll, and in case of his neglect to pay the same the Recorder shall levy and collect the same by distress and sale of goods and chattels of every such person, wherever found within said city, and may take any property that can be taken by township treasurers in the collection of taxes, and he shall give the same notice, and sell and dispose of any surplus in the same manner as township treasurers are required to do. All sums added to unpaid taxes as percentage as aforesaid, shall, when collected, be paid into the city treasury, to be disposed of as the Common Council shall direct; and all fees collected by the Recorder on sales of personal property for the payment of any tax, shall also be paid into the city treasury as aforesaid.

Return of un-
paid taxes to
County
Treasurer.

SEC. 113.—Said City Recorder shall make returns to the County Treasurer of the county of Lenawee, of all taxes remaining unpaid upon said several tax rolls, within the same time and in the same manner as township treasurers are required by law to make similar returns. For the purpose of assessing and levying taxes in said city for state, county and school purposes, each ward shall be considered the same as a township, and all provisions of law relative to the collection of taxes levied in townships, shall apply to the collection of taxes levied and assessed by the Supervisors of said city, in the several ward tax rolls of said city, except as herein otherwise provided. For the purpose of collecting taxes and for the return of property for the non-payment of taxes, the City Recorder shall perform the same duties and have the same powers as a township treasurer, except as hereinafter (herein) otherwise provided; and all provisions of law respecting the return and sale of property for the non-payment of taxes for state, county and township purposes, shall apply to the return and sale of property for the non-payment of all taxes levied in said city, except as herein otherwise provided.

Provisions
for collection
of taxes.

Recorder to
pay certain
money into
city treasury.

SEC. 114.—The City Recorder shall, within the time specified in the warrants annexed to said several tax rolls pay into the city treasury, out of the moneys collected by him on said rolls, the amounts specified in said several warrants, to be paid into the city treasury for city, highway, library and school purposes, as in such warrants specified; and shall within one week after the time specified in said warrants for paying the money directed to be paid to the County Treasurer, pay to said County Treas-

§ 113. Amended Laws 1869, Vol. 2, pp. 472, 473, No. 285, March 16, and Local Acts 1879 pp. 136, 137, No. 340, April 3.

§ 114. Amended Laws 1869, Vol. 2, pp. 473, No. 285, March 16, and Local Acts 1879, p. 137, No. 340, April 3.

urer the sums required in said warrants, either in delinquent taxes, or in funds then receivable by law. And all the provisions of law respecting delinquent taxes in townships, shall apply to all taxes levied in said city, which shall be returned as delinquent to the County Treasurer; and the said city, in respect to the taxes therein which shall be returned as delinquent to the County Treasurer, shall be considered and treated by the County Treasurer, the same as a township, except as herein otherwise provided.

Return of delinquent taxes.

SEC. 115.—When any special assessment for public improvements or for any local improvements upon any ward, district, street, lane, alley, public sewer, or other improvement, shall have been made, as in this act provided, and the tax roll for the same shall have been delivered to the Recorder for collection, the same shall be a lien upon the premises upon which the same was assessed; and the Recorder collecting such tax, shall levy and collect the same of any personal property found on the premises so assessed, or in possession of the person chargeable with such tax; and in case sufficient personal property shall not be found to levy and collect the same, the Recorder shall make returns to the Common Council of the sums so remaining uncollected by him, with a description of the lots or parcels of land upon which such tax was assessed, and which remain [remains] unpaid, as aforesaid; and thereupon the Common Council shall cause the same to be re-assessed upon said premises in the tax roll of the proper ward, next thereafter to be made by the Supervisor thereof, and the same shall thereupon be collected and returned, and the same proceedings had for the collection and return thereof, and for the sale of such premises for the non-payment of such tax as is provided by law for the collection, return and sale of premises for non-payment of the ordinary city taxes.

Special assessments a lien on property and how collected.

Sale of premises.

SEC. 116.—The Common Council may divide said city into street districts, and may provide that the whole or any part of the moneys raised by tax in any such district for street and highway purposes and for drainage, shall be expended therein.

Street districts, and monies raised therein.

PUBLIC IMPROVEMENTS.

SEC. 117.—The Common Council shall have power and is authorized to construct reservoirs wherever needed, and to provide for supplying the same with water, to build bridges, to construct sewers, drains and culverts, to provide wells, to grade, gravel, pave, repair, amend, and otherwise improve the streets,

Powers of council as to reservoirs, bridges, public grounds, streets, etc.

§ 115. Amended Laws 1869 Vol. 2, pp. 473, 474, No. 285, March 16, and Local Acts 1879, p. 137, No. 340, April 3.

§ 117. Amended Local Acts 1879, pp. 137, 138, No. 340, April 3.

Proviso.

Moneys raised for particular purpose not to be applied to any other.

Unexpended balance to be carried to general fund.

lanes, alleys, public grounds and parks in said city, to construct, repair and renew sidewalks, to remove all encroachments and encumbrances from any street, sidewalk, public ground or place in said city, and may fill up, drain, cleanse and regulate any grounds, yards, basins, slips, cellars or vaults within said city, that may be sunken, damp, foul, encumbered with rubbish or unwholesome, and to make such other public improvements as may conduce to the general good and prosperity of the city, or of any part thereof, and may provide that the whole or any part of the expense incurred for any of the purposes aforesaid, shall be paid by a general city tax: *Provided*, That said Common Council shall have no power to incur any expense for any work named in this section (except in case of injury or destruction by sudden calamity), unless the money to pay for such work is in the city treasury, or shall have been levied as taxes to be paid in the current year in which such work is done, or unless the question of such expenditure shall have been first submitted to the qualified electors of said city at an election called for that purpose and approved by a majority of all the voters at such election: *And provided further*, That any moneys raised or levied for any particular fund or purpose shall not be diverted to any other fund, nor used for any other purpose than that for which it was raised or levied; except that at the end of each fiscal year such balance as may be in any fund unexpended, and not required for the purpose for which it was raised, may be carried to the general fund and used for any necessary expenses of the city, or in payment of the city debt: *And provided further*, That no money shall be expended or expense incurred, unless the same shall first have been authorized by a vote of the Common Council.

STREETS AND SIDEWALKS.

Expenses of improving streets.

Sidewalks, &c., may be assessed on property benefited.

Levying tax for.

SEC. 118.—The Common Council shall have power to assess and levy by tax the expenses of making, grading, paving, opening and repairing streets, lanes and alleys, and of putting curb stones and culverts therein, of grading, paving or planking and repairing sidewalks, of draining low lands, of making drains and sewers and other local improvements upon the lots, premises and sub-divisions thereof, which are in front of or adjoining to such streets, sidewalks, drains, sewers and other improvements, and upon lots and premises which in the opinion of the Common Council are benefited thereby, and the Common Council shall have power to make all by-laws and ordinances relative to the mode of assessing, levying and collecting such tax.

SEC. 119.—Whenever the Common Council shall deem it

expedient to construct any sidewalk, or pavement, or plank any street within the said city, they may, by ordinance, or otherwise, require the owner or occupant of any lot or house adjoining said street, to lay such sidewalk, or construct such pavement, or plank said street to the middle of the said street, in front of his or her lot or house; or they may direct such sidewalks and pavements to be made and such street to be planked, according to the provisions of this act. The Common Council may, in like manner, by ordinance or otherwise, under such penalty or penalties as they may prescribe, require the owners and occupants, or either, of land in said city, or in any specified part thereof, to construct, repair, maintain, and reconstruct sidewalks, pavements and other street improvements, adjoining their respective premises, to the middle of such street, or alley, in such manner as the Common Council by ordinance or otherwise, may direct. If the owner or occupant of any lot or premises, after notice so to do shall have been posted on such lot or premises, or otherwise given, served or published, as the Common Council may direct by ordinance, resolution, or otherwise, shall fail or neglect to construct or repair any sidewalk, or pavement, or to plank any street, or to clear away any snow, ice or other obstruction from any sidewalk, or to widen any street adjoining to such lot or premises, within such time as the Common Council may prescribe or require by ordinance, resolution or otherwise, the Common Council may cause the same to be done at the expense of the city; and such expense shall be deemed to be a special assessment upon such lot or premises, and the Common Council may add the same to the amount of the general city tax on such lot or premises, in the proper ward tax roll next thereafter to be made, and the amount so added shall be a lien on the premises, in the same manner as the tax to which it is added, and may be collected and enforced, and (if not paid) the land sold therefor in the same manner as for ordinary city taxes.

Owners of premises may be required to plank and pave streets and walks.

Or Council may do it.

May prescribe penalty if owner neglects to improve, &c.

Proceedings in case of neglect.

Expenses may be added to city tax, &c.

SEC. 120.—The Common Council shall have power and authority to lay out, establish, open, extend, widen straighten, alter, close or vacate and improve such streets, highways, alleys, lanes, water-courses, squares, market places and public parks in said city, as it shall deem necessary for the public convenience; and if in the doing thereof, the property or lands of any person shall be required for such purpose, the Common Council shall so declare by resolution, stating therein a description of the lands or premises required, and the purpose for which the same are to be used, and that the Common Council will meet on some day to be named in the resolution, to take action in regard to the matter; and notice of such meeting, and that such lands or prem-

Streets and public grounds, &c., may be opened and vacated, &c.

§ 120. Amended Laws 1867, Vol. 2, pp. 1026, 1027, 1028, No. 497, March 27, and Local Acts 1875, pp. 571, 572, 573, No. 353, April 23.

Proceedings to take private property for public uses. ises are required for the purpose aforesaid, shall be given to the owner or parties interested, or his or their agents or representatives, by personal service of a copy of such resolution, or by publication of a copy of such resolution, in one of the newspapers published in said city, at least three weeks previous to the time appointed in said resolution for the meeting of the Common Council; and the Common Council is hereby authorized to negotiate with the person or persons interested in or owning such grounds or premises for the same, and to pay therefor such reasonable sum as may be agreed upon; but if such person or persons shall refuse to negotiate for such lands or premises, or if, for any other cause, there shall not be an agreement or bargain between the parties therefor, it shall be lawful for the Common Council, at the time of the meeting appointed in such resolution, to direct the City Recorder to issue a precept, under his hand and the seal of said city, in the nature of a *venire facias*, directed to the Marshal or any constable of said city, commanding him to summon a jury of twelve disinterested freeholders of the County of Lenawee, to appear before any Justice of the Peace of said city, at a time therein to be stated, to inquire into the necessity for using such property, and assess the damage and recompense due to the owners of or parties interested in such grounds or premises; which jury being duly sworn by said Justice faithfully and impartially to inquire into the necessity for using such property, and assess the damages in question, and having viewed the premises, if necessary, shall determine the necessity for using such property, and shall inquire of and assess such damages and recompense as they shall deem fit to be awarded to the owner or owners of, or parties interested in such grounds or premises, for their respective damages or losses, according to their several interests or estates therein; and the said Justice shall, upon the return of such assessment, enter judgment confirming the same; and the sum or sums so assessed, together with his or their costs, shall be paid or tendered to the party or persons entitled thereto, if residing in said city, and if not residing therein, to be paid into the city treasury for the use of such party, person or claimant, before such street, lane, alley, square, water-course, market place or public park shall be made, opened, established or altered; and in either case it shall thereupon be lawful for the Common Council to cause the same grounds or premises to be converted to and for the uses and purposes aforesaid; *Provided*, The party claiming damages may have the right to remove such proceedings by appeal to the Circuit Court for the County of Lenawee, upon giving notice of his or their intention so to do to said Justice, in writing, within ten days, or in case of the

Notice to owners.

Council may negotiate for.

In case of disagreement jury to be summoned.

Jury to assess damages, &c.

Judgment on assessment.

When and how to be paid.

Appeal and notice of.

absence of said party from the city at the time of the rendition of the judgment, within thirty days after the assessment or verdict of such jury, and the judgment of said Justice therein as aforesaid, such appellant first giving bond, with two sufficient sureties to be approved by said Justice, conditioned to pay all costs that may be awarded against him in said Circuit Court; but no appeal, supersedeas, injunction or any other process or proceeding from any court whatever, shall prevent the immediate making, laying out, opening, establishing, altering, straightening or widening such street, lane, alley, square, water-course, market-place or public park as aforesaid; and upon filing in said Circuit Court the said bond, and a transcript of the proceeding aforesaid, duly certified by said Justice, within forty days after the rendering of said judgment of confirmation, the same proceedings shall be had in the Circuit Court as is prescribed by law in cases of appeals from Justices' courts: *Provided further*, That if the damages awarded on such appeal shall not exceed the damages assessed by said jury, and confirmed by the judgment of such Justice, the party appealing shall pay all costs occasioned by such appeal.

Bond on appeal.

Taking of ground not to be prevented.

Proceedings in appeal.

When appellants liable to costs.

SEC. 121.—The Common Council is authorized to cause such of the streets, highways, alleys and lanes, in said city as shall have been used for six years or more as public highways, streets, lanes, or alleys, and all public grounds and parks, which have not been sufficiently described, or have not been duly recorded, to be surveyed, described and recorded in the office of the City Recorder in a book to be denominated the book of "Street Records," and shall also cause a survey or description and plat of every public ground, park, street, lane and alley, or part thereof, which shall hereafter be opened, established, altered, widened or straightened, to be recorded as aforesaid, and such record shall be presumptive evidence of the existence of such public ground, park, highway, street, lane, alley, or of that part thereof therein described, and of the boundaries thereof; and a copy of any ordinance or resolution of the Common Council vacating any public ground, park, street, lane or alley, or any part thereof, shall also be recorded in said book of "Street Records."

Surveys of streets and public grounds to be recorded.

Record of vacating &c., to be made.

PREVENTION OF FIRES.

SEC. 122.—The Common Council shall have power and authority to make all such ordinances, by-laws, and regulations, as they shall deem necessary to secure the buildings and property in said city, against injuries by fire, and may establish fire districts within said city, and prescribe the manner of constructing buildings, and the materials of which they shall be constructed

Precautions against fire.

Fire districts, &c.

Erection, re-
pair and re-
moval of
buildings in.

Party walls.

Hazardous
buildings.

Lamps and
lights.

Gunpowder and
other combus-
tibles.

General powers
of Council.

Buildings and
premises may
be inspected.

Hazardous
avocations.

within such districts; and may prohibit the erection, rebuilding, enlarging, or repairing of any wooden structure, store, house, shop, or other building within such districts; and may prohibit the removing of any wooden structure or building from any part of said city to any lot or place within any such fire district, and may prohibit the removing of any wooden structure or building from one place within any such district, to another place within the same district; and may regulate and prescribe the manner of constructing party walls, chimneys, and fire places, and the manner of putting up stoves, stove-pipes, and other things that may be dangerous in causing or promoting fires, and may regulate and prescribe the manner of constructing all blacksmith shops, cooper shops, carpenter and cabinet shops, planing establishments and bakeries, and other buildings and establishments usually regarded as extra hazardous in respect to causing fires; and may prescribe the materials of which the same shall be constructed.

SEC. 123.—The Common Council may regulate the use of lights and candles in every livery stable and other building in which combustible articles may be deposited, and may prescribe the use of lanterns or safety lamps, in such buildings, and may regulate the transportation, keeping and deposit of gunpowder, or other dangerous or combustible materials, and may prevent or regulate the carrying on of manufactories dangerous in causing or promoting fires, and may authorize and direct the removal of any hearth, fire-place, stove-pipe, flue, chimney, or other conductor of smoke, or any other apparatus or device in which any fire may be used, or to which fire may be applied, that shall be considered dangerous, and liable to cause and promote fires, and generally may adopt such other regulations for the prevention and suppression of fires as they may deem necessary.

SEC. 124.—For the purpose of enforcing such regulations, the Common Council may authorize and direct the fire wardens and any of the officers of said city, to enter into and examine, at all reasonable times, all dwelling-houses, buildings and tenements of every description, and all lots, yards, and enclosures, and to cause such as are dangerous to be put in safe condition, and may authorize such officers and persons to inspect all hearths, fire-places, stoves, pipes, flues, chimneys, or other conductors of smoke and any apparatus or device in which fires may be used or to which fire may be applied, and remove and make the same safe, at the expense of the owner or occupants of the building in which the same may be, and to ascertain the situation of any building in respect to its exposure to fire.

SEC. 125.—The Common Council may also prohibit the carrying on or prosecution within any fire district, of any trade,

occupation, or business, which it may deem dangerous in respect to causing and promoting fires, and may prohibit the maintaining of lumber yards, and the keeping, piling and storing of fire-wood, timber, lumber, or other easily combustible material, in any open or other place, in any fire district. Every building or structure that shall be constructed, moved, repaired, enlarged, used, maintained, or occupied, in violation of or contrary to any ordinance of said city, is hereby declared to be a common nuisance, and may be abated and removed by direction of the Common Council.

Lumber yards,
&c.

Certain build-
ings considered
nuisances.

FIRE DEPARTMENT.

SEC. 126.—The Common Council may also establish and maintain a fire department in said city for the protection of said city and the inhabitants thereof, against loss and damage by fire, and shall provide such department with fire engines and other implements, instruments, engines, machines and facilities necessary to be used in extinguishing fires, and may provide suitable engine houses and buildings for such department, and may appoint such officers, engineers, firemen and other employees to serve in such department as shall be deemed expedient, and may enact and make all such ordinances, by-laws and regulations as may be necessary for the establishing, maintaining, governing and regulating such fire department.

Council may
maintain fire
department.

To appoint
officers and
firemen.

SEC. 127.—Upon the breaking out of any fire in said city, the Marshal shall immediately repair to the place of such fire, and aid and assist as well in extinguishing the fire as in preventing any goods or property from being stolen or injured, and in protecting, removing and securing the same, and for that purpose act as chief of police; and in pursuance of his duties, the Marshal shall be in all respects obedient to the Mayor, Aldermen and Fire Wardens, or either of them, or such of them as may be present at such fire; and the Mayor or any Aldermen may require the assistance of all bystanders in extinguishing such fire, and in the removal, preservation and protection of all property endangered thereby, and in case any bystander shall willfully neglect to comply with such requirements, he shall be punished in the manner provided by the by-laws or ordinances of the Common Council, who are hereby authorized to pass such by-laws in relation thereto as they may deem necessary.

Duties of Mar-
shal at fires.

Bystanders to
aid.

Penalties.

SEC. 128.—Whenever any person shall refuse to obey any lawful order of any engineer, fire warden, mayor or alderman at any fire, it shall be lawful for the officer giving such order to arrest, or direct orally any constable, watchman, or any citizen, to arrest such person and confine him temporarily in a safe

Arrest of by-
standers refus-
ing aid.

place until such fire shall be extinguished, and in the same manner such officers, or any of them, may arrest or direct the arrest and confinement of any person at such fire, who shall be intoxicated or disorderly.

Fire-wardens.

SEC. 129.—The Common Council may also appoint a fire-warden for each ward of the city; and may also appoint a city watch of one or more persons, whenever the Common Council shall deem it necessary for the safety of the persons and property in said city. The duties and compensation of such wardens and watchmen shall be prescribed by the Common Council.

Firemen exempt from serving as jurors.

SEC. 130.—All officers, firemen, employees and members of the fire department, shall be exempt from serving on juries, and may obtain from the City Recorder a certificate to that effect, which shall be evidence thereof.

Compensation for injuries to firemen.

SEC. 131.—The Common Council may provide suitable compensation for an injury, that any fireman may receive to his person or property, in consequence of the performance of his duties at any fire.

EFFECT OF THE REVISION.

Officers retained, &c.

SEC. 132.—All persons heretofore elected or appointed to office in and for the city of Adrian, and now holding such offices shall continue to hold their respective offices and to perform the duties thereof for the remainder of the terms for which they were elected or appointed respectively.

Ordinances and by-laws retained.

SEC. 133.—All ordinances, by-laws, rules, regulations and resolutions of the Council and freemen of the city of Adrian, or heretofore passed by the Common Council of said city, and now in force, shall, except so far as they are inconsistent with the provisions of this act, continue in force until repealed, modified or amended by the Common Council of the city of Adrian; and the passage of this act shall not invalidate any act already done, right accrued or acquired, proceeding had or tax sale made, under and by virtue of any law of this State in relation to the city of Adrian, or in relation to the Council and freemen of the city of Adrian, or under and by virtue of any ordinance, by-law, regulation or resolution passed or adopted by the Council and freemen of the city of Adrian or by the Common Council of said city; but the same shall be and remain as valid for all purposes as if this act had not been passed, and all proceedings heretofore commenced under and by virtue of any law for the incorporation of said city or under and by virtue of any ordinance or by-law of said city and now pending or not yet

Former proceedings and rights not impaired.

§ 129. Amended Laws 1867, Vol. 2, pp. 1028, 1029, No. 497, March 27, and Laws 1869 Vol. 2 p. 474, No. 285 March 16.

§ 130. Amended Laws 1869, Vol. 2, p. 474, No. 285, March 16.

completed, shall remain valid and be completed in the same manner and with the same effect as if this act had not been passed.

SEC. 134.—All bonds, obligations, evidences of debt and indebtedness, issued or incurred by the Council and freemen of the city of Adrian, and still remaining in force and not canceled, may be collected, enforced and prosecuted against said corporation by the name of the city of Adrian; and all bonds, obligations, evidences of debt and indebtedness due or owing to the city of Adrian or to the Council and freemen of the city of Adrian, may be collected, prosecuted for and enforced by said corporation hereby created by the name of the city of Adrian.

SEC. 135.—This act shall be deemed a public act and shall be favorably construed in all courts and places.

SEC. 136.—This act shall take immediate effect.

Approved March 20, 1865.

ORDINANCES.

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-

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- LX.—An ordinance relative to water supply.

ORDINANCES

OF THE

CITY OF ADRIAN.

OF STREET DISTRICTS.

I.

AN ORDINANCE TO DEFINE AND DESIGNATE THE PAVED DISTRICT OF THE CITY.

Passed September 21st, 1868.

SEC. 1.—The city of Adrian ordains: that all that part of Maumee street extending from the East line of Broad street to the River Raisin; and all that part of Main street extending from the North line of Toledo street to the South line of Church street; and the street known as Maiden Lane, shall hereafter be known and designated as the Paved District.

SEC. 2.—This ordinance shall take immediate effect.

II.

AN ORDINANCE TO RE-DISTRICT THE CITY OF ADRIAN INTO STREET DISTRICTS.

Passed May 18, 1868.

SEC. 1.—The city of Adrian ordains: that the city of Adrian shall be divided into four Street Districts, as follows, viz:

All that part of said city which is included within the First Ward shall constitute a Street District, and shall be known and designated as Street District Number One.

All that part of said city which is included within the Sec-

(8)

ond Ward shall constitute one Street District, and shall be designated as Street District Number Two.

All that part of said city included within the limits of the Third Ward shall be one Street District, and shall be designated as Street District Number Three.

All that part of said city which is included within the limits of the Fourth Ward shall constitute one Street District, to be known and designated as Street District Number Four.

SEC. 2.—All provisions of any and all ordinances dividing said city into five Road Districts, or otherwise conflicting with the provisions of this ordinance, are hereby repealed.

SEC. 3.—This ordinance shall take effect on the twenty-second day of May, A. D. 1868.

OF STREETS, SIDEWALKS AND PAVING.

III.

AN ORDINANCE RELATIVE TO SIDEWALKS.

Passed April 24, 1865.

SEC. 1.—The city of Adrian ordains: that sidewalks may be graded, paved, graveled, planked, made and constructed, and the cost and expenses thereof provided for and collected according to the provisions of this ordinance.

Cost of, how
collected.

SEC. 2.—The cost and expenses of paving, planking, making and grading all sidewalks constructed under the provisions of this ordinance (except where such walks shall be constructed by the owner or occupant of the premises adjacent thereto) shall be assessed and levied upon and collected from the owners or occupants of the lots and premises and upon the lots and premises adjacent to or abutting upon such sidewalk, in the manner hereinafter prescribed.

Amended
April 20, 1867.
Amended
July 3, 1882.

SEC. 3.—Every sidewalk that shall be hereafter made or constructed under the provisions of this ordinance, shall be of the width prescribed in the resolution directing or authorizing the construction thereof.

How con-
structed.

The ground shall be graded preparatory to the laying down of such sidewalk and the walk shall be laid down and constructed upon grade lines, levels and inclinations established or which shall be established for that purpose. Paved sidewalks shall be constructed of such material and shall be laid down in such manner as shall be prescribed in the resolution directing or authorizing the construction thereof, but no brick sidewalk shall be hereafter laid.

All plank sidewalks shall be constructed of sound, square-

edged pine or oak plank, not less than one and one-half inches in thickness, not to be more than twelve inches in width, and if of oak, not to be more than eight inches wide, to be laid lengthwise only, and upon oak, pine, or hemlock stringers, not less than three by four inches square, and placed not more than four feet apart, and each plank to be well nailed to the stringers; provided sidewalks may be laid crosswise in the paved district.

SEC. 4.—Whenever the Common Council shall determine to make, reconstruct, pave or plank any sidewalk under the provisions of this ordinance, a resolution referring to this ordinance, shall be entered in their journal, directing that such sidewalk be constructed, and prescribing the width thereof and the material of which the same shall be made, together with such other directions for the construction thereof as may be required, and further ordering and requiring the owners and occupants of the lots and premises adjacent to and abutting upon the line of such proposed sidewalk, to do the necessary grading therefor and to construct that part of such sidewalk adjacent to the lands and premises owned or occupied by them respectively, of the width and material and in the manner prescribed in such resolution, and to the satisfaction of the Street Commissioner within thirty days after service of a notice of such resolution.

SEC. 5.—Upon the adoption of such resolution, the City Recorder shall give notice thereof to the City Surveyor; and thereupon the City Surveyor under the direction of the Committee on Sidewalks, shall when necessary determine and establish the grade upon which such sidewalk shall be constructed, and he shall also forthwith ascertain from the best evidence in his power, all the necessary facts and shall then make out a statement and report stating therein the names of the owners or occupants of the lots or premises in front of or adjoining to and abutting on the line of the sidewalk so ordered to be constructed; describing by itself with sufficient accuracy and numbering in the margin of the report, each lot or portion of a lot owned by any one person or company of persons, also the names of such owner or several owners; and when he cannot ascertain the name or names of any such owners or occupants or either of them, he shall state such fact in his report; and he shall also set forth in said report the length of sidewalk required to be constructed in front of or adjacent to the lots or premises owned or occupied by any one person or company of persons; which report and statement shall be numbered and deposited with and kept by the City Recorder.

SEC. 6.—Upon receiving the said Surveyor's report, the City Recorder shall make out a notice to the owners and occupants of the lots and premises adjacent to the line of such sidewalk,

Notice to set
owners to
build.

which notice shall be directed as follows: "To (here insert the names of all the persons named in said Surveyor's report as owners or occupants) and to any other person interested in the premises adjacent to the line of sidewalk herein mentioned," and shall set forth a copy of the resolution, directing such sidewalk to be constructed and the date of its adoption, and shall notify the persons to whom it is directed to grade and construct a sidewalk according to the requirements of said resolution adjacent to the lots and premises owned or occupied by them respectively adjoining the line of said walk, and that if such walk shall not be completed within thirty days after service of said notice, the same will then be constructed by or under the direction of the Street Commissioner, and that the expenses thereof with interest, will be added to and collected with the city tax next to be levied upon the adjoining premises; said notice shall be numbered to correspond with the number of said Surveyor's report, and shall be served by the Street Commissioner by delivering a copy thereof to each of the owners or occupants named in said Surveyor's report if found within said city, or by leaving such copy at the usual place of abode or place of business of such owners or occupant in said city, or if any lot or premises described in said report shall be unoccupied and the owner thereof a non-resident, and cannot be found in said city, then said notice shall be served by posting a copy thereof in some conspicuous place on such lot or premises. Said original notice shall be preserved in the office of the City Recorder.

Notice, how
served.

Return of
service.

SEC. 7.—At the expiration of thirty days after the time of service of said notice, the Street Commissioner shall make and annex to said original notice his return, verified by oath, showing the time and manner of such service and the persons upon whom said notice was served; and shall further show in his return what portion, if any, of said sidewalk has been constructed, as required by said notice, and the lots and premises adjacent to which such walk has been constructed, designating such lots by the numbers placed opposite thereto in the Surveyor's report, and shall also designate in like manner, the lots and premises, if any, adjacent to which such sidewalk has not been constructed.

Committee
on Sidewalks
to examine
return.

SEC. 8.—When the Street Commissioner shall have made the return mentioned in the last preceding section, and if it shall appear therefrom that any portion of said sidewalk has not been constructed as required by said notice, the City Recorder shall immediately give notice thereof to the chairman of the Committee on Sidewalks, and he shall forthwith examine said Surveyor's report, notice and return, and if he shall find the same correct and that any owner or occupant who has been duly served with said notice has not complied with the requirements there-

of, he shall endorse on said report an order directing said Street Commissioner to construct and complete said sidewalk adjacent to all lots and premises named in said report where the owners or occupants have not complied with the requirements of said resolution and notice, designating such lots and premises by the numbers opposite thereto in the margin of said report.

SEC. 9.—When the said chairman shall have made the order mentioned in the preceding section, the Street Commissioner shall with all due diligence grade, provide the materials for, and construct and complete such sidewalk adjacent to the premises designated in the order of said chairman, according to the requirements of said resolution of the Common Council.

When city
shall construct
walk.

The Street Commissioner shall keep an account of the cost of the grading done adjacent to each lot, and shall also keep an account of the amount and cost of each kind of material used, and of the amount and cost of the labor expended and of each item of all other expenses incurred in the construction of said walk, and the length of walk constructed by him adjacent to each lot; and shall immediately on the completion of said walk render such account verified by oath to the Common Council, and they shall examine, audit and allow the same or such part thereof as shall be just; and shall direct the amount so allowed to be paid. Said account shall be filed with the City Recorder, and a copy thereof as allowed shall be annexed by him to said Surveyor's report.

Account of
expenses to be
kept and
paid.

SEC. 10.—Upon the allowance of said account the City Recorder shall apportion the expense of grading and constructing said walk among the several lots adjacent thereto as follows: The cost of grading adjacent to each lot shall be charged to such lots and set opposite to the description thereof in a column of said Surveyor's report, the cost of material, labor and other expenses in laying down and constructing said walk, shall be divided among the several lots in proportion to the number of feet in length of sidewalk constructed adjacent to each of such lots, and the amount so divided and apportioned to each lot shall be set down in another column in said report, and there shall be charged to each lot and set down in another column of said report, one dollar for the copy of notice served, and fifty cents for serving and making return of service therefor, and fifty cents for the expense of publishing the notice of review hereinafter mentioned, together with such other charges for actual expenses incurred on account of said lot, as the Common Council shall direct to be charged thereto, and upon the aggregate amount apportioned and charged to each lot as aforesaid, interest shall be charged and computed at the rate of twenty per cent. per annum from the time of the completion of said walk until the

Assessment
for construct-
ing walk.

As amended
April 20, 1867.

first day of January next after the tax for the same shall be required to be put upon the tax roll as hereinafter provided; and the amount of said interest shall be set down in another column of said report, and the total of such costs, charges and interest shall be carried out in another column in said report, to be marked "total apportionment."

Review of
assessment and
notice of.

SEC. 11.—On the first Monday in October, or upon such other day as the Common Council shall by resolution appoint, the Committee on Sidewalks shall meet at the Common Council room for the purpose of reviewing said apportionment, notice of which meeting shall be given at least one week previous thereto, by publishing such notice twice in one of the daily newspapers of the city; at which meeting or at such other time as the Committee shall adjourn to, all persons interested may appear before the Committee and make objections to such apportionment. If upon such review the Committee shall find said apportionment to be correct they shall confirm the same; but if sufficient cause appear therefor they shall revise and correct the apportionment as justice may require, by setting down in a column in said Surveyor's report to be marked "corrected apportionment," the aggregate amount which they shall apportion to each lot; and shall add to said report and apportionment a certificate to be signed by the chairman of the Committee, approving the apportionment as confirmed, or as corrected.

Assessment
lien of.

SEC. 12.—The amount apportioned and charged to any lots as aforesaid together with the interest thereon shall be a claim against the owner of such lot, and may be collected and enforced against him, the same as any other tax assessed to him, and such claim shall not be in any manner invalidated by reason of any insufficient service of any notice or other irregularity in any of the proceedings required by this ordinance, but said amount shall be and remain a valid lien upon the lot and premises adjacent to which such sidewalk shall have been constructed, until paid.

Assessments
to be reported
to ward
Supervisors.

SEC. 13.—When said apportionment shall have been approved, the City Recorder shall make a report and certificate to the Supervisor of the ward in which the lots and premises adjacent to which said sidewalk shall have been constructed, are located, setting forth a description of said lots and premises, the same as contained in said Surveyor's report, together with the names of the owners and occupants, if known, and designating such lots and premises as are non-resident; and further, showing the amount apportioned to each of said lots and premises with interest as aforesaid, which certificate shall notify and require said Supervisor to levy the several sums so apportioned by tax upon the lots to which they are respectively apportioned.

SEC. 14.—Upon receiving said certificate the Supervisor shall levy the sums therein mentioned upon the lots and premises to which they are respectively charged and apportioned, by adding such sums to the general city tax to be levied on such lots and premises against the owners thereof in the ward tax roll next thereafter to be made, and thereupon the amount so added shall be collected and enforced with the tax to which it is added, in the same manner as the tax to which it is added, and when collected shall be paid into the city treasury to the credit of the general fund.

Supervisor
to levy
expenses.

SEC. 15.—This ordinance shall take effect on the second day of May, A. D. 1865.

IV.

AN ORDINANCE TO REQUIRE SIDEWALKS TO BE CONSTRUCTED IN CONFORMITY WITH THE ESTABLISHED GRADE.

Passed April 15 1868.

The Common Council of the city of Adrian do ordain as follows:

SEC. 1.—All sidewalks hereafter constructed within the city, whether brick or stone pavement, plank or gravel, shall be constructed upon the grade established therefor by the Common Council.

SEC. 2.—Every person holding property adjoining any street within the city, who shall construct any such sidewalk upon or adjoining his or her premises shall construct the same upon the grade so established therefor, and under the direction of the Sidewalk Committee, and any person who shall construct such sidewalk without conforming to the grade as herein provided shall forfeit and pay a fine of ten dollars for every rod of sidewalk so constructed, and may be required by said Committee or the Common Council at any time to alter the same so as to conform to such grade, and in case he or she shall neglect or refuse, for the space of one week after being required to alter the same as aforesaid, such person shall forfeit and pay a fine of ten dollars for every week that he or she shall so neglect or refuse to alter the same as aforesaid; or the Common Council or Sidewalk Committee may, at their discretion, cause such alterations to be made, and the expense thereof may be assessed and collected in the manner mentioned in the next section.

To be on
established
grade.

Fine, &c.

SEC. 3.—The Common Council or the Sidewalk Committee may at any time require the proprietors or occupants of land adjoining any of the streets of the city, upon or adjoining which land such sidewalks have heretofore been constructed not in conformity with such grade, to raise or level the same so as to

Occupant to
make walk
conform to
grade.

Penalty, &c.

As amended
Nov. 9, 1868.

conform to such grade, and if any such proprietor or occupant shall neglect or refuse to comply with such requirement for the space of one week after notice thereof, he or she shall forfeit and pay a fine of ten dollars for every week he or she shall neglect or refuse to comply with such requirement; or the Common Council or Sidewalk Committee may at their discretion cause such alterations to be made and the expense thereof to be assessed upon the adjoining lots, and collected in the same manner provided in the ordinance relative to sidewalks, passed April 24, 1865.

SEC. 4.—Any person aggrieved by any order or requirement of the Sidewalk Committee under this ordinance may appeal therefrom to the Common Council at the next meeting thereof.

SEC. 5.—This ordinance shall take effect in three weeks after the passage thereof, and shall be previously published in the city papers two weeks.

V.

AN ORDINANCE RELATIVE TO REPAIRING SIDEWALKS.

Passed April 24, 1865.

Occupant to
repair.

SEC. 1.—The city of Adrian ordains: that the owner or owners, occupant or occupants, of each and every lot, or of any subdivision thereof, or of any piece or parcel of land, in front of or adjacent to which a sidewalk shall have been constructed, either of brick, stone, wood or other material, shall keep the same in good order and repair to the full width thereof, as ordered or constructed.

Amended
July 1, 1880.

Street Com-
missioner to
cause repairs
to be made.

SEC. 2.—It shall be the duty of the Street Commissioner, whenever he shall notice or ascertain that any sidewalk is in bad order, or out of repair, to cause a written or printed, or partly written and partly printed notice to be served upon the owner, or owners, or occupant or occupants of the premises adjacent to which any such sidewalk shall be out of repair or in bad order, requiring such owner; or owners, or occupant, to repair such sidewalk with good sound material of the same kind as that of which said sidewalk was originally constructed, within three days after service of said notice, and that in case of any neglect or refusal to make such repairs within the time prescribed in such notice, then the Street Commissioner will cause the said repairs to be made, and that the expense thereof will be collected as a tax against said premises; said notice shall be numbered, and shall contain a description of the lot or subdivision thereof, or premises abutting upon and adjacent to the sidewalk so required to be repaired.

SEC. 3.—Said notice shall be served upon the owner or occu-

pant, or upon some one of the owners or occupants of the lot or premises adjacent to such sidewalk, by delivering the same to such owner or occupant, if found within said city, or by leaving such notice at the usual place of abode, or at the place of business of such owner or occupant in said city; or if any such lot or premises shall be unoccupied, and the owner thereof a non-resident, or shall not be known to the Street Commissioner, and cannot be found in said city, then said notice may be served by posting the same in a conspicuous place, upon the lot or premises adjacent to the sidewalk therein required to be repaired. In case of the failure or neglect of any owner or occupant so served with such notice as aforesaid, to repair such sidewalk within the time specified in such notice, then the Street Commissioner shall certify upon a copy of the notice so served the time and manner of such service, together with the fact of any failure or neglect on the part of such owner or occupant to comply with the requirements of such notice, and shall deposit such copy with the City Recorder, and he shall file and preserve the same in his office.

Amended
July 1, 1880.

Notice to repair
and return
of, &c.

SEC. 4.—Upon filing said notice with the City Recorder, with the certificate and return thereon indorsed, as provided in the preceding section, showing that the sidewalk mentioned in such notice has not been repaired within the three days prescribed in such notice, it shall be the duty of the Street Commissioner to proceed forthwith and furnish all the necessary materials therefor and repair such sidewalk, provided that such repairs adjacent to one lot or premises, or adjacent to any separate subdivision of a lot, shall not exceed ten dollars, but, in case the estimated cost of such repairs adjacent to any lot, or premises, or separate subdivision of a lot, shall exceed ten dollars, the Street Commissioner shall report that fact to the chairman of the Committee on Sidewalks, and if he shall deem it expedient so to do, he shall make an order in writing, directing the Street Commissioner to proceed and make such repairs; said order shall be attached to the copy of the notice filed with the City Recorder, and thereupon the Street Commissioner shall proceed to make said repairs, or cause the same to be made.

Commissioner
to repair, when.

SEC. 5.—The Street Commissioner shall keep an exact account of the amount and of the items thereof, expended by or under his direction in repairing the sidewalks adjacent to each lot, and shall render such account on oath to the Common Council within one month after the completion of such repairs, and the Common Council shall audit and allow such account, or such part thereof as may be just, and shall provide for the payment thereof, and said account, when allowed, shall be numbered corresponding with the number of the notice requiring such repairs,

Expense of
repairs and
collection.

and shall be attached thereto and preserved by the City Recorder, and thereupon the amount so allowed shall be deemed to be a special assessment and charge against such premises.

SEC. 6.—At the time of certifying to the Supervisors of the several wards the amounts of tax to be levied for general city purposes in such wards for the year, the City Recorder shall certify to each Supervisor a description of each lot and piece or parcel of land and premises in his ward, adjacent to which any sidewalk shall have been repaired as aforesaid, together with the name of the owner or occupant thereof, if known, and the amount expended for sidewalk repairs adjacent thereto, including interest on such amount at the rate of twenty per cent. from the time of the allowance of the account for such repairs, until the first day of January then next; and the Supervisor shall add such amount, including the interest, to the city tax upon such lot to be levied in his ward tax roll for the year, and the amount so added shall be collected in the same manner as the tax to which it shall be added, and, when collected, shall be paid into the city treasury to the credit of the general fund.

Expense to be
certified.

Supervisor to
assess, &c.

SEC. 7.—This ordinance shall take effect on the second day of May, 1865.

VI.

AN ORDINANCE RELATIVE TO STREETS AND SIDEWALKS.

Passed Feb. 5, 1866.

Street, &c., not
to be encum-
bered.

SEC. 1.—The city of Adrian ordains: that no person shall encumber or obstruct any street, lane, alley or other public place or space within said city, with any article or thing whatsoever, except by permission first obtained in writing from the Mayor, Street Commissioner, or by resolution of the Common Council.

Building ma-
terial.

SEC. 2.—No person shall, by himself or another, place any stone, timber, lumber, plank, boards, bricks or other materials, in or upon any street, lane, alley or other public space in said city, except for the purpose of building, and not for that purpose except by permission first obtained in writing from the Mayor or Street Commissioner or by resolution of the Common Council; and such material shall not be allowed to remain in such street, lane, alley or other public space after the completion of such building, nor shall the same be allowed to occupy or obstruct more than one-half of any street or alley; and immediately upon the completion of every such building, all building material, dirt and rubbish arising therefrom shall be removed from such street, lane, alley or other public space, by the owner or occupant of such building, and all such building material, dirt

and rubbish shall be removed as aforesaid at any time whenever the Common Council shall so direct.

SEC. 3.—No person shall remove, or cause to be removed, or aid and assist in removing any building into, along or across any street, alley, or public space, without permission first obtained from the Common Council, Mayor or Street Commissioner, and in the removal of any such building, the same shall not be permitted to remain in or upon any street, alley, or public space during any longer time than shall be permitted by the Mayor, Common Council or Street Commissioner for that purpose.

SEC. 4.—No person shall cast or place any rubbish, filth, straw, shavings, garbage, decayed fruits or vegetables, dead carcass or other offensive or unwholesome substances or thing in or upon any street, lane, alley, sidewalk or public space in said city; and in case any such rubbish, filth, straw, shavings ashes, paper, garbage, decayed fruits or vegetables, dead carcass, or other offensive or unwholesome substance or thing shall be found in or upon any such street, lane, alley, sidewalk or other public space, it shall be the duty of the owner or occupant of the lot or premises in front of which such filth, rubbish, substance or thing shall be found, to remove the same immediately.

SEC. 5.—No person shall leave any horse, mule, oxen or team in any street, alley or public space without being securely tied; nor shall any person halt any wagon, cart, carriage, sleigh or other vehicle, horse or team upon any crosswalk, sidewalk or footway.

SEC. 6.—The owner of any firewood or fuel, unloaded or placed in or upon any street or sidewalk for the purpose of being sawed or carried into or upon the adjoining building or premises, shall not permit such wood or fuel to remain in or upon such street or sidewalk for a greater length of time than twelve hours.

SEC. 7.—No person shall dig or tear up any pavement, side or crosswalk, or dig any hole, ditch, drain or sewer in any street, lane, alley or public space, without permission first obtained from the Common Council, Mayor or Street Commissioner. And it shall be the duty of any person tearing up any pavement, side or crosswalk, or digging any hole, ditch, drain or sewer in any street, alley or public space, as speedily as practicable, and within such time as shall be prescribed therefor by the Common Council, Mayor or Street Commissioner, to repair and put the same in as good order and condition as before; and in repairing any such pavement, side or crosswalk and filling up any such ditch, hole, drain or sewer, such person shall pound down the earth so as to make it firm and solid, and in case the earth shall settle, to fill up the same from time to time, as may be necessary, and in

such manner and such time or times as shall be directed by the Street Commissioner.

SEC. 8.—No person shall herd together, or detain in any street, alley, lane or other public space any cattle, horses, sheep or swine.

Other obstructions.

SEC. 9.—No person shall place or put any trough for feeding or watering horses, cattle or other animals in any street, alley or other public space.

SEC. 10.—No person shall play at any game of nine or ten pins, ball, wicket or other games in any street, alley or other public space.

SEC. 11.—It shall not be lawful for persons to gather in crowds on any sidewalk or in any street so as to obstruct or hinder travel in such street or on such sidewalk, or encumber the same.

Sweeping the streets.

SEC. 12.—The owner or owners and occupant or occupants of each house, store, shop, building or premises fronting, abutting upon or adjoining to any paved street, lane or alley in said city, shall on Friday morning of each week, from the 15th of March to the 15th day of November, scrape, gather and sweep into convenient heaps and piles all the filth, earth, mud and rubbish found upon the sidewalks and in the street, lane or alley to the center thereof, in front of, abutting upon or adjoining to such house, building, store, shop or premises, so that such filth, earth, mud and rubbish may be quickly and readily collected into wagons or carts for removal from the street or alley; and shall also at all times keep the gutters next to the curbstone of the pavement, free from all rubbish or other matter which may impede the free and ready flow of water through such gutters, or which shall cause filthy or stagnant water to stand in such gutters.

Building materials.

SEC. 13.—No person owning, building or repairing any house, or other building shall permit any lumber, brick, plaster, mortar, earth, clay, sand, stone or other material to remain upon the sidewalk in front of or adjoining to such house or building, after sunset of the day upon which it was placed there, without the permission of the Common Council, Mayor or Street Commissioner.

Snow and ice.

SEC. 14.—The owner or occupant of every house, lot building or premises shall remove all snow from the sidewalk in front of or adjoining to such house, lot, building or premises, within twelve hours after such snow has fallen, and such owner or occupant shall remove all ice from any such sidewalk within twenty-four hours after the same shall have been formed on such sidewalk, and within five hours after the formation of such ice, such owner or occupant shall cause salt, sand or sawdust to be strewn thereon.

SEC. 15.—No person shall hoist or raise from any street or sidewalk, into any building, loft, store or room, or lower from any building, store, loft or room into any street or upon any sidewalk, any cask, bale, bundle, box, crate, or any goods, wares or merchandise, boards, joists or timber, by means of any rope, pulley, tackle or windlass. Hoisting goods from street.

SEC. 16.—No person shall load upon or unload from any vehicle, or pack, unpack, assort, overhaul, weigh, inspect or expose any rags in any street or upon any sidewalk. Nor shall any person assort, pack, unpack, weigh, place or expose any old iron, skins, pelts or hides upon any sidewalk within the paved district in said city. Rags.

SEC. 17.—No person shall expose, sell, or expose for sale any goods, wares, merchandise, fish, poultry, butchers' meat, fruits or vegetables kept for sale upon any sidewalk in the paved district in said city. Sales in the street.

SEC. 18.—No person shall in any manner encumber or obstruct any sidewalk with or by means of any goods, wares, merchandise, boxes, barrels, lumber, timber or other property, except so far as may be necessary for the purpose of building and repairing buildings and making other necessary repairs and improvements, and not for that purpose except under permission first obtained from the Common Council, Mayor or Street Commissioner. Encumbering sidewalk.

SEC. 19.—No wooden post for the purpose of supporting any awning shall be erected or set up in any paved street, and all iron posts erected for the support of any awning shall be not less than eight feet high, and shall be set by the side of the curbstone, and no rails or strips of boards shall be used to connect such posts with the building. Awning, posts, &c.

No awning or cloth or canvas used as an awning shall be permitted to hang within eight feet of the sidewalk.

SEC. 20.—No person shall place or suspend from any house, shop or store, into or partly into or over or upon any street, sidewalk or alley any likeness, sign, goods, clothes, wares or other articles so that the same shall extend or project more than three feet from the wall of the building, or within eight feet of the sidewalk. Signs.

SEC. 21.—All spaces places and openings cut or made in any sidewalk or over any area, about or adjoining any building, for the purpose of admitting light or for lowering goods, fuel or other things shall be kept securely covered and closed by strong iron rods, bars or gratings, so that foot passengers shall not be injured thereby. Openings in sidewalks.

SEC. 22.—In case any steps or stairway leading into the cellar or basement of any building or premises shall be constructed in Basement entrances.

or so made as to occupy any part of the sidewalk, the owner or occupant of such building or premises shall at all times protect such steps or stairway by a stout iron railing not less than three feet in height, which railing shall be constructed and at all times maintained in such manner as shall be approved by the Street Commissioner.

Who to remove
encumbrances.

SEC. 23.—In case any lumber, timber, rubbish, ashes, paper, filth, straw, earth, carcass, pelt, hide, fish, meats, fruit, vegetables, garbage, boxes, goods, awnings, signs or other property or thing shall be found or placed in or upon any sidewalk, or in that half of the street in front of or adjoining and nearest to any building, store, lot or premises, in violation of or contrary to the provisions of this ordinance, then and in every such case the owner or occupant of such lot, store, building or premises shall immediately remove the same.

Duty of Street
Commissioner
and Marshal.

SEC. 24.—In case the Street Commissioner, City Marshal or any policeman shall find any lumber, timber, rubbish, ice, snow, filth, straw, earth, carcass, pelt, ashes, paper, hide, meat, fish, fruit, vegetables, garbage or other unwholesome or offensive substance, or any other property or thing, goods, box, barrel, sign, awning or obstruction in or upon any sidewalk or street, in violation of or contrary to the provisions of this ordinance, it shall be the duty of the Street Commissioner, City Marshal or such policeman to notify, order and require the owner or owners, occupant or occupants, persons in charge of the store, building, lot or premises adjoining and nearest to that part of the street or sidewalk where such lumber, timber, rubbish, filth, ice, snow, straw, earth, carcass, pelt, ashes, paper, hide, meat, fish, fruits, vegetables, garbage, or other unwholesome or offensive substance, or any other property, thing, goods, box, barrel, awning, sign or obstruction shall be found, to remove the same from such street or sidewalk within such time as the Street Commissioner, City Marshal or policeman shall designate for that purpose.

Violations,
what,

And if any such owner, occupant or person shall neglect or refuse to comply with such order or requirement or to cause such removal within the time designated for that purpose, then such owner, occupant or person shall be deemed guilty of a violation of this ordinance, and for each day or part of a day after the expiration of the time designated for such removal and compliance with such order and requirement, during which any such owner, occupant or person shall neglect or refuse to make such removal and comply with such order and requirement, such owner, occupant or person shall be deemed guilty of a separate and distinct violation of this ordinance.

And in case any such owner, occupant or person in charge shall neglect or refuse to cause such removal and to comply with

such order and requirement as aforesaid; and also in case the lot or premises adjacent to such obstruction or thing shall be unoccupied, and the owner shall not be known, or does not reside in said city, then the Street Commissioner, City Marshal or any policeman shall be, and is, authorized (and, in case of emergency, is required), forthwith, to remove such property, lumber, paper, ashes or rubbish, filth, hides, pelts, fish, meats, fruits, vegetables, boxes, goods, signs, awning and other things, and encumbrances, property and obstruction heretofore mentioned from such street or sidewalk.

Marshal and
Commissioner
to remove.

SEC. 25.—The owner, driver or person in charge of any horse, team, wagon, cart, carriage or vehicle standing or being in the streets of said city, when so required by the City Marshal, Street Commissioner or any policeman, shall remove the same to such other place within said street or within said city as the Marshal, Street Commissioner or policeman shall direct. And the City Marshal, Street Commissioner and any policeman may, when he or they shall consider it necessary or expedient so to do, so remove any such horse, team, carriage, cart or vehicle.

When Marshal
Street Commis-
sioner or police-
man may re-
move.

SEC. 26.—No person shall hinder, interfere with or prevent any officer named in this ordinance from performing any of the duties or powers in this ordinance given to or required of such officer.

Persons not to
interfere.

SEC. 27.—Any violation of the provisions of this ordinance shall be punished by a fine of not less than five dollars and not exceeding fifty dollars and costs of suit, or by imprisonment in the county jail of not less than three days nor more than thirty days, or by both fine and imprisonment, in the discretion of the court.

Penalties, &c.

And in case any fine shall be imposed, the court shall make a further order that the offender be imprisoned in the county jail of the county of Lenawee until such fine and costs shall be paid; *Provided*, that such imprisonment shall not exceed forty days.

SEC. 28.—This ordinance shall take effect on the fourteenth day of February, 1866.

VII.

AN ORDINANCE RELATIVE TO REPAIRING STREETS IN THE PAVED DISTRICT.

SEC. 1.—The city of Adrian ordains: that the owner or owners and occupant or occupants of each and every lot or premises, or of any subdivision of any lot, or of any piece or parcel of land adjoining to or abutting upon any paved street, lane or alley, shall keep the curbing, curbstones, gutters, pavements and

Who to repair.

crosswalks, to the centre of the street, lane or alley in front of and adjacent to such lots and premises or parcel of land, in good order and repair at all times, and shall keep such gutters free from filth, rubbish or other obstructions, and in such manner and condition that no stagnant or filthy water shall stand or remain in such gutters.

Notice to owners, &c., to repair.

SEC. 2.—Whenever any such curbing, curbstones, gutter, pavement or crosswalk shall be out of repair or in bad order; and when any such gutter shall be obstructed in any manner so as to cause stagnant or filthy water to stand therein, it shall be the duty of the City Recorder to make out a written or printed, or partly written and partly printed notice to the owner or owners or occupants of the lot, premises or parcel of land in front of which any such curbing, curbstones, pavement, crosswalk or gutters shall be obstructed or in bad order, or out of repair as aforesaid, which notice shall require such owner or owners or occupants to remove all such obstruction, rubbish and filth from such gutter, and to repair such curbing, curbstones, gutter, pavement or crosswalk, to the centre of the street, with good, sound material, and in a substantial manner, within five days after service of such notice, and said notice shall describe the premises in front of or adjacent to which such repairs are required to be made, or such obstructions are required to be removed.

Notice, how served.

SEC. 3.—Said notice may be served by the City Marshal or by the Street Commissioner, and shall be served upon the owner or occupant, or upon some one of the owners or occupants of the lot, premises or parcel of land adjacent to or in front of which such curbing, curbstones, gutter, pavement or crosswalk shall be out of repair, or in front of which such gutter shall be obstructed, by delivering such notice to such owner or occupant, if found within said city, or by leaving such notice at the usual place of abode, or at the place of business of such owner or occupant, or, if such lot or premises shall not be occupied and the owner thereof cannot be found in said city, then such notice may be served by posting the same in a conspicuous place upon such lot, premises or parcel of land.

The officer serving such notice shall forthwith make return on a copy thereof of the time and manner of such service, and shall file such copy and return in the office of the City Recorder.

Street Commissioner to repair, when.

SEC. 4.—In case of the failure or neglect of any such owner or occupant, so served with such notice as aforesaid, to remove such rubbish, filth or obstruction from such gutter, or to repair such curbing, curbstones, gutter, pavement or crosswalk in the manner and within the time specified in such notice, then and in such case it shall be the duty of the Street Commissioner to proceed forthwith and furnish all the necessary materials therefor,

and repair such curbing, curbstones, gutter, pavement or cross-walk so found out of repair or in bad order, and to remove all filth, rubbish and other obstructions from any gutter so obstructed as aforesaid.

SEC. 5.—The Street Commissioner shall keep an exact account of the amount and of the items thereof expended by or under his direction in making any of the repairs and of removing any of the obstructions herein mentioned under the provisions of this ordinance, and he shall render such account on oath to the Common Council within one month after the completion of such repairs or removing of such obstructions, and the Common Council shall provide for the payment of the same, or of so much thereof as shall be just, and the account, when allowed, shall be attached to the copy of the notice requiring such repairs, and shall be preserved in the office of the City Recorder, and thereupon the amount so allowed shall be deemed to be a special assessment and charge against such premises.

Expense of repairs by Commissioner, account of, &c.

SEC. 6.—The amount so allowed for repairs or removing obstructions in front of any lot or premises, as mentioned in the last preceding section, shall be added to the city tax next thereafter to be levied upon such lot or premises, and the same proceedings in all respects shall be had for the levying and collection thereof as is provided for the collection of the expenses incurred in the repair of sidewalks in section six of an ordinance entitled "An ordinance relative to repairing sidewalks," passed April 24, 1865.

Expenses, how collected.

SEC. 7.—This ordinance shall take effect on the thirteenth day of June, 1865.

VIII.

AN ORDINANCE RELATIVE TO PAVING.

Passed October 9, 1865.

SEC. 1.—The city of Adrian ordains: that whenever the Common Council shall deem it expedient to pave any street, lane or alley, or any part of such street, lane or alley, within said city, they shall by resolution, to be entered in their journal, direct the same to be done, and the manner in which such work is to be done, and the material to be used in paving and curbing such street, lane or alley.

Paving, how ordered.

SEC. 2.—Whenever the Common Council shall have determined to pave any such street, lane or alley as aforesaid, they shall cause the same to be done, and the material therefor to be provided by the Street Commissioner, or by contract let for that purpose, or in such other manner as to the Council shall seem expedient.

How to be done.

SEC. 3.—Whenever the Common Council shall have caused any street, lane or alley, or any part of such street, lane or alley, to be paved, or shall direct the same to be paved, they shall cause the funds necessary for defraying the costs and expenses so incurred or to be incurred in the doing thereof to be provided for and raised by an assessment, to be made by the City Surveyor, upon the owner or owners or occupants of the lots or premises in front of or adjacent to the street, lane or alley so paved or to be paved.

Expense there-
of, how provid-
ed for.

Assessment
roll for.

SEC. 4.—The City Surveyor shall, with all due diligence, ascertain from the best evidence in his power all the necessary facts, and shall then make out an assessment roll, stating therein the names of the owners or occupants of the lots and premises in front of or adjacent to which such street, lane or alley has been paved, or has been directed so to be, describing by itself, with sufficient accuracy, each lot or portion of a lot owned or occupied by any one person or company of persons, and also the names of such owner or several owners or occupants, and when he cannot ascertain the name of such owner or owners or either of them, he shall state such fact in his roll, and said Surveyor shall also, in as accurate a manner as possible, ascertain, and in said roll set forth, in separate columns, the space or number of yards or feet graded or to be graded, the space or number of yards or feet paved or to be paved, the quantity of curbing placed or to be placed in front of or adjacent to the lots or premises owned or occupied by any one person or set of persons, and the sum of money which such person or set of persons shall be assessed for said work.

Notice of
assessment.

SEC. 5.—The City Recorder shall then make out a notice, directed to the persons named in said assessment roll and proposed to be assessed, notifying them that they are about to be assessed to defray the expenses incurred or to be incurred in grading and paving the street, lane or alley in front of or adjacent to certain premises owned by them in said city, and that a report or assessment roll, made out in the premises, is on file in the office of the City Recorder for inspection, and further notifying them of the time and place when the Common Council will meet and review said report or assessment, the time of which meeting shall be fixed by the Common Council, and said notice shall be published in one of the daily newspapers of said city at least ten days previous to such meeting. The Common Council shall, at the time and place in said notice specified, or at some session thereafter, take said assessment into consideration, and if no person appears to object to said roll, and no good cause to the contrary appears, and an affidavit of publication of the requisite notice having been made by some one acquainted with the facts,

the Council shall, by written resolution, to be entered in their journal, declare that they approve of said report and assessment roll, and that the sum therein assessed to each individual or set of individuals be the assessment against such individual or individuals; and that the several sums therein assessed be collected from the person or persons to whom assessed respectively. But, if any sufficient cause appears or is shown to the Common Council, they shall review said assessment roll, and make assessments as may be just and right in the premises.

*Review of
assessment.*

SEC. 6.—After said assessment roll shall have been approved and confirmed by the Common Council, the City Recorder shall, if the Common Council so direct, make a report and certificate to the Supervisor of the ward in which the lots and premises adjacent to which said pavement shall have been or is to be constructed are located, setting forth a description of said lots and premises the same as contained in said Surveyor's report and assessment roll, together with the names of the owner or owners or occupants against whom such assessments have been made, if known, and designating such lots and premises as are non-resident, and further showing the amount so assessed upon each of said lots or premises against the owner or owners or occupants thereof, and requiring said Supervisor to levy the several sums so apportioned and assessed by tax upon the lots and premises to which they are respectively apportioned and assessed. And upon receiving said certificate, the Supervisor shall levy the sums therein mentioned upon the lots and premises to which they are respectively assessed and apportioned, by adding such sums to the general city tax levied or to be levied on such lots and premises, against the owner or owners or occupants thereof, in the ward tax roll next thereafter to be made; and thereupon the amount so added shall be collected and enforced with the tax to which it is added in the same manner as the tax to which it is added, and when collected shall be paid into the city treasury.

*Assessments to
be certified to
the Supervisor.*

*Supervisor to
levy same.*

How col

SEC. 7.—After said Surveyor's assessment roll and report shall have been approved and confirmed by the Common Council as hereinbefore provided, instead of requiring the assessments therein made to be certified to the Supervisor of the ward, as provided in section six, the Common Council may, by resolution, direct that the assessments made in said Surveyor's report and assessment roll be collected directly therefrom as a special assessment. And thereupon the City Recorder shall attach his warrant to said Surveyor's report and assessment roll, therein commanding the City Marshal to collect from each of the persons or set of persons named in such report and assessment roll the amount of money set opposite to his, her, or their names therein

*Tax may be
collected from
the Surveyor's
assessment roll,
when.*

Warrant for.

*As amended
Dec. 14, 1882.*

respectively, and that in case any person or persons named in said roll shall neglect or refuse to pay his, her, or their tax or assessment upon demand, that then the said Marshal levy and collect the same by distress and sale of the goods and chattels of any such person or set of persons, according to law; and that he pay the moneys so collected into the city treasury and return said roll and warrant, together with his doings thereon, in sixty days from the date of such warrant, which said roll and warrant shall be delivered to the City Marshal.

Collection
how enforced.

As amended
Dec. 14, 1882.

SEC. 8.—Upon receiving said assessment roll and warrant, the City Marshal shall proceed to demand and collect the several sums stated and assessed therein, and if any person or set of persons named therein shall neglect or refuse to pay his or their tax or assessment upon demand, the City Marshal shall seize and levy upon any goods and chattels found in said city belonging to such person or persons, and shall sell the same at public auction, first giving six days' notice of the time and place of such sale by posting such notice in three of the most public places in said city; and the proceeds of such sale, or so much thereof as shall be necessary for that purpose, shall be applied to the payment of tax or assessment, and a percentage of five per centum on the amount of the tax or assessment for the costs and expenses of such seizure and sale, and the surplus, if any, shall be paid to the person or persons entitled thereto.

Money to be
paid into the city
treasury.

As amended
Dec. 14, 1882.

SEC. 9.—The City Marshal shall pay the moneys collected by him into the city treasury, and make return of said roll and warrant and of his doings thereon to the Common Council within the time mentioned in said warrant. And if any of the taxes assessed in said roll shall be returned unpaid, the City Marshal shall attach to his return a statement of such fact, verified by affidavit, to which shall be annexed a list of the lots and premises upon which the assessments have not been paid. Said warrant may be renewed from time to time if the Common Council shall so direct. And in case any such tax or assessment shall be finally returned by the City Marshal unpaid as aforesaid, the same shall be certified to the Supervisor of the proper ward in the manner provided in section six of this ordinance, and shall be reassessed with interest at the rate of twenty per cent. from the date of said warrant in the next ward tax roll, and collected and paid in all respects as provided in section six of this ordinance.

Delinquent
taxes, how
collected.

SEC. 10.—An ordinance entitled "An ordinance relative to the paving of streets," passed April 14, 1859, is hereby repealed.

SEC. 11.—This ordinance shall take effect on the seventeenth day of October, 1865.

OF SEWERS AND DRAINAGE.

XI.

AN ORDINANCE RELATIVE TO DRAINING, FILLING UP AND
PURIFYING LOW GROUNDS AND OTHER PLACES.

Passed August 7, 1865.

SEC. 1.—The city of Adrian ordains: that whenever in the opinion of the Common Council it shall be necessary or expedient for the public convenience or for the preservation of the health of the people of said city, or of any part thereof, to cause any lot, or any part of a lot, or any piece of ground, place or premises in said city that may be low, sunken, damp, foul or covered or partially covered with standing or stagnant water during any part of the year, or that may be incumbered with rubbish, filth or any unwholesome or offensive matter or substance, to be drained, cleansed, purified, filled up with earth or cleared of such rubbish, filth, unwholesome or offensive matter or substance, the Common Council may by resolution, to be entered in the minutes of their proceedings, require and direct the owner or owners, occupant or occupants of any such lot, piece of ground, place or premises, to drain, cleanse, purify, fill up with earth or clear the same from rubbish, filth, unwholesome or offensive substances, in such manner and within such time as shall be prescribed and designated in such resolution, which resolution shall describe such lot, place, ground or premises, and shall designate the person or persons (if known to the Common Council) required to drain, cleanse, purify, fill up with earth or clear the same from rubbish, filth or other unwholesome or or offensive substances.

Grounds to be
drained and
purified, how.

Resolution for.

SEC. 2.—Within one week after the passage of the resolution mentioned in the preceding section, notice thereof shall be served by the City Marshal or Street Commissioner upon each owner or occupant of the lot, ground, place or premises described in such resolution, by delivering to such owner or occupant a copy of said resolution, or by leaving such copy of said resolution at the usual place of abode or place of business of such owner or occupant in said city, or if such lot, ground, place or premises shall not be occupied, and the owner thereof shall not be a resident of said city, or cannot be found therein, then such notice may be served by posting a copy of said resolution in some conspicuous place on the lot, place, ground or premises so required in said resolution to be drained, filled up, cleansed or cleared as aforesaid.

Notice to occupant's and how served.

SEC. 3.—At the end of the time limited in said resolution for complying with the requirements thereof, the City Marshal

Return of
notice.

or Street Commissioner who shall have served the notices mentioned in the last preceding section shall make return to the Common Council in writing, to be endorsed on a copy of said resolution, showing the time and manner of service of said notices, and further showing whether the requirements of said resolution have been complied with.

When Council
may cause the
work to be
done.

SEC. 4.—If it shall appear by the return of the officer serving said notice that the same has been served as required by this ordinance, and that the owner or occupant of the lot, ground, place or premises described in said resolution has neglected or refused to comply with the requirements of such resolution, or has complied therewith only in part, then and in such case the Common Council may by a further resolution, to be entered in their journal, cause such lot, ground, place or premises to be drained, filled up with earth, cleansed, purified or cleared from rubbish, filth or unwholesome or offensive substances in the manner required by the resolution mentioned in the first section of this ordinance, and may direct said work to be done by the Street Commissioner, City Marshal or such other officer as the Common Council shall designate for that purpose.

Account of the
expenses.

SEC. 5.—The Street Commissioner, City Marshal or other officer who shall drain, fill up, cleanse, purify or clear of rubbish, filth or other offensive substance, any lot, ground, place or premises by direction of the Common Council, under the provisions of this ordinance, shall immediately upon the completion of such work render to the Common Council an accurate account of the expenses incurred in the doing thereof, which account shall be verified by oath, and thereupon the Common Council shall audit such account and allow the same, or such part thereof as shall be just.

Expenses to be
certified to Su-
pervisor.

And thereupon the amount so allowed shall be deemed a special assessment and tax upon said lot, ground or premises so drained, filled up, cleansed, purified or cleared of rubbish or offensive matter as aforesaid, and shall be reported to the Supervisor of the proper ward, and shall be by him added to the general city tax next to be levied on such lot, ground or premises, and when so added said amount shall become a part of the city tax on such lot, ground or premises, and shall be collected and paid into the city treasury in the same manner as other city taxes.

SEC. 6.—If any owner or part owner or occupant of any lot, ground, place or premises in said city upon whom a copy of such resolution, as is provided for in the first section of this ordinance, shall have been served by the delivery of such copy to such owner or occupant personally, or by leaving such copy at his usual place of abode or place of business in said city, shall

neglect or refuse to comply with the requirements of such resolution within the time and in the manner prescribed in such resolution, he shall be deemed guilty of a violation of this ordinance, and for each and every week during which any such owner, part owner or occupant so served as aforesaid shall fail, neglect or refuse to comply with the requirements of any such resolution after the time therein limited for compliance with the requirements thereof, shall be deemed guilty of a new and distinct violation of this ordinance. Violation, what deemed.

And any person who shall be guilty of any violation of this ordinance shall, upon conviction thereof before any Justice of the Peace of said city, be punished by a fine of not less than fifteen dollars nor more than one hundred dollars and costs of prosecution, or by imprisonment in the county jail for a period not less than five days nor more than sixty days, or by both fine and imprisonment, in the discretion of the court; and in the imposition of any such fine and costs, the court may make a further sentence that the offender be imprisoned in the county jail, until the payment of such fine and costs, for any period not exceeding sixty days. Penalties.

SEC. 7.—This ordinance shall take effect on the fifteenth day of August, 1865.

X.

AN ORDINANCE RELATIVE TO SEWERS, DRAINS AND WATER COURSES.

Passed June 26, 1866.

SEC. 1.—The city of Adrian ordains: that sewers, drains and water courses may be laid out, established, opened, extended, repaired, cleansed, enlarged, altered and constructed within said city according to the provisions of this ordinance; and the expenses thereof may be defrayed in whole or in part by a general tax, or the whole of such expenses, or such part thereof as to the Common Council may seem proper, may be defrayed by an assessment upon the lots and premises which are in front of and adjoining to such sewers, drains and water courses, or through which the same may extend, and upon lots and premises which in the opinion of the Common Council are benefited thereby. Sewers, &c., to be constructed. Expenses of, &c.

SEC. 2.—When the Common Council shall determine to lay out, establish, alter or construct any permanent sewer, drain or water course, they shall cause a survey and plat thereof to be made, which survey and plat shall show the location, extent, depth and grade of such sewer, drain or water course, and the location and boundaries of all lots and premises adjacent to and through which the same shall extend, and the length of sewer, Survey and plat of proposed drain, &c., to show what.

drain or water course through or adjacent to each lot, and also the names of the owners of such lot and premises, if known; and in case the whole or any part of the cost and expenses of such sewer, drain or water course is to be defrayed by assessment, upon the lots and premises adjacent to or through which the same shall extend, or upon lots and premises benefited thereby, such survey and plat shall show the location and boundaries (and names of the owners, if known) of all lots and premises to be assessed, and said survey and plat shall be filed with the City Recorder.

Resolution to
lay out and for
expenses of.

SEC. 3.—When the plat and survey mentioned in the preceding section shall have been made, the Common Council by a resolution, to be entered in their journal, shall direct that such sewer, drain or water course be laid out, established, altered or constructed, as the case may be, upon the line and in the location and of the depth and grade designated in said survey and plat, and shall also in the same resolution state whether the whole or any portion of the costs and expenses of such sewer, drain or water course is to be defrayed by assessments upon the lots and premises adjacent to or through which the same shall extend, and upon the lots and premises benefitted thereby; which said resolution, together with said survey and plat, shall be recorded in the office of the City Recorder in a book, to be called the Book of Sewer Records.

By whom
constructed.

SEC. 4.—All sewers, drains and water courses constructed, altered, cleansed or repaired, under the provisions of this ordinance, shall be so constructed, altered, cleansed or repaired by such officer, contractor, or person as the Common Council shall designate.

Expenses to be
assessed.

SEC. 5.—Whenever the Common Council shall determine to raise money to defray the costs and expenses of any sewer, drain or water course that shall have been or is to be laid out, established, altered or constructed, enlarged, repaired or cleansed, under the provisions of this ordinance, by an assessment upon the lots and premises adjacent to or through which the same shall run, and upon lots and premises benefitted thereby, they shall by resolution designate what part or portion of such costs and expenses shall be so raised, and that the same be levied upon such lots and premises, and shall in the same resolution designate the lots and premises which in their opinion are benefitted, and which are to be assessed for such purpose.

Resolution for.

Assessment roll
to show what.

SEC. 6.—When the Common Council shall have passed any such resolution as is mentioned in section five, it shall be the duty of the City Surveyor, with all due diligence, to ascertain from the best evidence in his power all the necessary facts, and to make out an assessment roll, stating therein the names of

the owners (if known) of the lots and premises to be assessed, describing by itself with sufficient accuracy each lot or portion of a lot owned by any one person or company of persons, and also the names of such owner or several owners, and when he cannot ascertain the name of any owner or part owner of any lot or premises, he shall state such fact in his roll; and shall also, in as accurate a manner as possible, ascertain, and in said roll set forth, in separate columns, the length of sewer, drain or water course, the amount of excavation made or to be made, the amount of material used or to be used, and the expenses incurred or to be incurred upon, in front of, or adjacent to each lot or premises owned by any one person or set of persons and the sum of money that each person or set of persons shall be assessed, and said assessment roll shall be filed with the City Recorder.

SEC. 7.—The City Recorder shall then make out a notice to the owners of the lots and premises so assessed, which notice shall be directed as follows: "To (here insert the names of all persons named in said assessment roll) and to all others interested in lots and premises adjacent to or benefited by the sewer, drain or water course (as the case may be) hereinafter mentioned," and shall describe substantially the location of such sewer, drain or water course, and shall notify the persons to whom it is addressed that they are about to be assessed to defray the cost and expenses of laying out, establishing, constructing, enlarging, altering, repairing or cleansing (as the case may be) such sewer, drain or water course, and that an assessment roll made out in the premises is on file in the office of the City Recorder for inspection, and further notifying them of the time and place where the Common Council will meet and review said assessment, the time of which meeting shall be fixed by the Common Council, and said notice shall be published in one of the daily newspapers of said city at least ten days previous to such meeting.

Notice of
assessment and
review.

The Common Council shall at the time and place in said notice specified, or at some session thereafter, review said assessment, and if no person appears to object to said assessment, and no good cause to the contrary appears, and an affidavit of the publication of the requisite notice having been made by some one acquainted with the facts, the Council shall by resolution, to be entered in their journal, approve and confirm said assessment, and thereupon the sum assessed to each individual or set of individuals shall be the assessment against said individual or individuals; but, if it shall appear or be shown to the Common Council that said assessment is incorrect or unjust, they shall review said assessment and correct the same in such manner as

Assessment roll
how corrected
and approved.

shall to the Council seem just, and approve and confirm the same as corrected.

Assessment to
be reported to
Supervisor.

SEC. 8.—After said assessment roll shall have been approved and confirmed by the Common Council, the City Recorder shall, if the Common Council so direct, make a report and certificate to the Supervisor of each of the wards in which any lots or premises so assessed are situated, setting forth a description of the lots and premises in such ward the same as is contained in said assessment roll, together with the names of the owners or persons against whom such assessments have been made (if known,) and designating such lots and premises as are non-resident, and further showing the amount assessed upon each of said lots and premises against the owner or owners thereof, and requiring said Supervisor to levy the several sums so apportioned and assessed by tax upon the lots and premises to which they are respectively apportioned and assessed; and upon receiving said certificate the Supervisor shall levy the sums therein mentioned upon the lots and premises to which they are respectively assessed, by adding such sums to the general city tax levied or to be levied on such lots and premises against the owner or owners thereof in the ward tax roll next thereafter to be made; and thereupon the amount so added shall be collected and enforced with the tax to which it is added in the same manner as the tax to which it is added, and, when collected, shall be paid into the city treasury.

Tax, how
levied.

When tax may
be collected
from Surveyor's
assessment roll.

SEC. 9.—After said Surveyor's assessment roll shall have been approved and confirmed as hereinbefore provided, instead of requiring the assessment therein made to be certified to the Supervisor of the proper ward, as provided in section eight, the Common Council may, by resolution, direct that the assessment made in said confirmed assessment roll be collected directly therefrom as a special assessment and tax; and thereupon the City Recorder shall attach his warrant to said assessment roll, therein commanding the City Marshal to collect from such of the persons or set of persons named in such assessment roll the amount of money set opposite his, her or their names therein respectively, and that in case any person or persons named in said roll shall neglect or refuse to pay his, her or their tax or assessment upon demand, to collect the same by distress and sale of any personal property found on the premises so assessed, or in possession of or belonging to the person or persons chargeable with such tax, and that he pay the moneys so collected into the city treasury and return said roll and warrant, together with his doings thereon, within sixty days from the date of such warrant; which said roll and warrant shall be delivered to the City Marshal.

Warrant for.

As amended
Dec. 14, 1882.

SEC. 10.—Upon receiving said assessment roll and warrant the City Marshal shall proceed to demand and collect the several sums stated and assessed therein, and if any person or set of persons assessed therein shall neglect or refused to pay his or their tax or assessment upon demand, the City Marshal shall seize and levy upon any personal property found upon the premises so assessed or in possession of or belonging to the person or persons chargeable with such tax, and shall sell the same at public auction, first giving six days' notice of the time and place of such sale by posting such notices in three of the most public places in said city; and the proceeds of such sale, or so much thereof as shall be necessary for that purpose, shall be applied by the City Marshal to payment of said tax or assessment, and a percentage of five per centum of the amount of the tax or assessment for the costs and expense of said seizure and sale, and the surplus, if any, shall be paid to the person or persons entitled thereto.

Payment how
enforced.

As amended
Dec. 14, 1882.

SEC. 11.—The City Marshal shall pay the moneys and all percentage collected by him into the city treasury and make return of said tax or assessment roll and warrant, and of his doings thereon to the City Recorder within the time mentioned in said warrant, and if any of the taxes in said roll should be returned unpaid, the City Marshal shall attach to his return a statement of such fact, verified by affidavit, to which shall be annexed a list of the lots and the premises upon which the assessments remain unpaid. Said warrant may be renewed from time to time if the Common shall so direct, and for such time as the Council shall designate, and during the time of such renewal such warrant shall have the same force and the City Marshal shall perform the same duties, and shall make the like returns as above provided; and in case any tax shall be finally returned by the City Marshal unpaid as aforesaid, the same shall be certified to the Supervisor of the proper ward in the manner provided in section eight of this ordinance, and shall be assessed with interest at the rate of twenty per cent. from the date of said warrant in the next ward tax roll, and collected and paid in all respects as is provided in section eight of this ordinance.

Return.

Extending time
to collect.

As amended
Dec. 14, 1882.

SEC. 12.—This ordinance shall take effect upon the fifth day of July, 1866.

Added July
12, 1869.

SEC. 13.—No person or persons shall connect with any such sewer, drain or water course, any private sewer, drain or water course, or in anywise interfere with or disturb any such sewer, drain or water course, without first obtaining permission of the Common Council, when, if permission be granted, the same shall be done under the supervision and in the manner designated by the Committee on Sewers and Paving; and any person violating

the provisions of this section shall be punished by a fine of not less than one dollar nor more than fifty dollars and the costs of prosecution, or by imprisonment in the county jail not exceeding twenty days, and shall further be liable to the city for all the damage done, and may be proceeded against before any Justice of the Peace of said city.

XI.

AN ORDINANCE RELATIVE TO PARTITION FENCES.

Passed August 6, 1866.

- Fence viewers.** SEC. 1.—The city of Adrian ordains: that the Street Commissioner and City Surveyor shall be city fence viewers in and for the city of Adrian.
- Lawful fence, what.** SEC. 2.—All fences four and a half feet high, and in good repair, constructed of rails, timber, boards, pickets, pales, iron, stone or brick walls, or any combination of the materials aforesaid, and all hedges which in the opinion of the city fence viewers shall be deemed sufficient as and for the purpose of a fence, shall be deemed legal and sufficient fences.
- As amended April 15, 1867.** SEC. 3.—The respective owners of lands, lots and premises shall build, keep up and maintain partition fences between their own and the next adjoining lots, lands or premises in equal shares so long as both parties shall use or occupy the same.
- Complaint for neglect to repair.** SEC. 4.—In case any party shall neglect to repair or rebuild any partition fence which of right he ought to maintain, the aggrieved party may make complaint thereof in writing to the city fence viewers. Upon receiving such complaint the city fence viewers shall make out a notice in writing, setting forth the time and place when and where they will meet to consider of the matters in said complaint, and shall cause copies of such notice to be served on each of the parties at least twenty-four hours before the time appointed for such meeting. At the time appointed for such meeting, or at such other time as they shall then appoint, the city fence viewers shall examine such fence, and if they shall determine that the same is insufficient they shall make an order in writing requiring the delinquent occupant or owner of the land to repair or rebuild such fence within a time to be specified in the order, and shall in the same order specify the manner and style of such repairs, and the kind and quality and style of the fence to be rebuilt, and shall cause a copy of such order to be served upon such delinquent occupant or owner, and shall immediately attach together the said complaint, notice and order, together with proof by affidavit of the service of such notice and order, and file the
- Notice to delinquent.**
- Order to repair, &c.**

same in the office of the City Recorder; and if such fence shall not be repaired or rebuilt according to the requirements of such order, it shall be lawful for the complainant to repair or rebuild the same.

When complainant may repair.

SEC. 5.—When any deficient fence, rebuilt or repaired by any complainant according to the provisions of the preceding section, shall be adjudged sufficient by the fence viewers, and the value of such repairing or rebuilding, together with their fees for all proceedings under this and the preceding section, shall be ascertained by a certificate under their hands (which certificate shall be filed with the City Recorder, and by him attached to complainant's notice and order mentioned in the preceding section), the complainant shall have the right to demand, either of the occupant or owner of the land where the fence was deficient, double the sum so ascertained and certified, and in case of neglect or refusal to pay the sum so due and demandable for twenty days after demand thereof made, the complainant may recover the same, with interest at the rate of ten per cent., in an action for money paid, laid out and expended, as damages for the non-compliance by such owner or occupant with the order of the fence viewers.

Expense of repairs by complainant.

How collected.

SEC. 6.—The owners of adjacent lands and premises may, by agreement in writing executed and acknowledged in the same manner as conveyances of real estate are required to be executed and acknowledged, divide and apportion between themselves the part and space of the partition fence between such lands to be built and maintained by each of them respectively, and may in the same instrument agree and determine upon the kind, quality and style of fence to be built and maintained by them as aforesaid.

Owners may agree on fence, how.

Such agreement shall be filed in the office of the City Recorder, and shall be recorded by him in a book to be called the Book of Fence Records.

Filing agreement.

SEC. 7.—When any controversy shall arise about the rights of the respective occupants or owners of lands in partition fences or their obligation to build, maintain or repair the same, either party may make application in writing to the city fence viewers for a division and assignment to the parties of the part and share of such fence to be built, maintained or repaired by each respectively; and thereupon the fence viewers shall appoint a time and place for the hearing of the application, and shall give notice thereof to the parties in the same manner as is provided in section four.

Controversies between owners.

At the time appointed for such hearing, or at such other time as they shall then appoint, the city fence viewers shall examine the line of such fence, and shall in writing assign to each party

Order of fence viewers on.

Filing order.

the part and share of such fence to be built, maintained or repaired by him respectively, and shall in the same assignment order and direct the time within which each party shall erect or repair his share of such fence, (if such erection and repairs shall be then required), and the kind, style and quality of fence to be built and maintained, and the style and quality of the repairs to be made, and shall give to each of said parties a copy of such assignment and order. Said application, notice and assignment, together with proof by affidavit of the service of such notice and copies of the assignment, shall be attached together and filed in the office of the City Recorder, and the assignment shall be recorded in the Book of Fence Records.

Order binding
on whom.

Every assignment made under the provisions of this section, and every division and apportionment made by agreement between the parties under the provisions of the last preceding section, when recorded, shall be binding upon the parties and upon all succeeding occupants of the lands, and they shall be obliged always thereafter to maintain their respective portions of such fence in the manner and style provided in such assignment or agreement.

Expense of
repairs how
collected.

SEC. 8.—In case any party shall neglect or refuse to erect or repair the part of any fence assigned to him by the city fence viewers within the time prescribed by the fence viewers for that purpose, the same may be erected or repaired, as the case may be, by the aggrieved party in the manner prescribed by the fence viewers, and when any fence so built or repaired by the aggrieved party shall be adjudged sufficient by the fence viewers, and the value and cost of such fence or of such repairs, together with their fees for examining and ascertaining the value of such fence or repairs, shall be ascertained by a certificate under their hands, (which certificate shall be filed in the office of the City Recorder,) the party building such fence or making such repairs shall be entitled to demand, either of the owner or occupant of the land where such fence was built or repaired, double the sum so ascertained and certified by the fence viewers; and in case of refusal to pay the sum so due and demandable for twenty days after demand thereof made, the party building such fence or making such repairs may recover the same, with interest at the rate of ten per cent., in an action for money paid, laid out, and expended, as damages for the non-compliance with the order and assignment made by the fence viewers.

Disputed rights
in fence.

SEC. 9.—When, in any controversy that may arise between occupants of adjoining lands and premises as to their respective rights in any partition fence, it shall appear to the fence viewers that either of the occupants had, before any application or complaint made to them, voluntarily erected the whole fence, or

more than his just share of the same, or otherwise become proprietor thereof, the other occupant shall pay, on demand, for so much of the fence as may be assigned to him to repair or maintain, the value of which shall be ascertained by the fence viewers and certified in writing, and the certificate filed in the office of the City Recorder; and in case of refusal to pay the sum so certified for twenty days after demand thereof made, the party entitled thereto may recover the same, with interest at ten per cent., in an action for money paid, laid out and expended.

In case one party owns whole fence.

SEC. 10.—All partition fences shall be kept in good repair throughout the year, unless the occupants on both sides shall otherwise mutually agree.

To be kept in repair.

SEC. 11.—When one party shall cease to improve or occupy his land or shall open his enclosure, he shall not take away any part of the partition fence belonging to him and adjoining the next enclosure if the owner or occupant of such adjoining enclosure will, within two months after the same shall be ascertained, pay therefor such sum as the fence viewers shall in writing, under their hands, determine to be the value of such partition fence belonging to such party.

When partition fence not to be removed.

Any person violating the provisions of this section shall, on conviction thereof before any Justice of the Peace, be punished by a fine of not less than ten dollars nor more than fifty dollars and costs of prosecution, and in default of payment of such fine and costs, shall be imprisoned in the county jail not less than five nor more than twenty days.

Penalty.

SEC. 12.—When any unenclosed lands or premises shall be afterwards enclosed, the occupant or owner thereof shall pay for one-half of each partition fence standing upon the line between his land and the enclosure of any other occupant or owner; and in case the parties do not agree upon the value of such partition fence, the value thereof shall be ascertained by the fence viewers and certified in writing under their hands, and the certificate filed in the office of the City Recorder; and if such owner or occupant shall neglect or refuse for thirty days after such value has been ascertained or agreed upon and demand made, to pay for one-half of such partition fence, the proprietor may maintain an action for money paid, laid out and expended for the amount of such value and the costs of ascertaining the same.

Fences heretofore built how paid for.

SEC. 13.—The city fence viewers shall be entitled to receive as fees for their services, under this ordinance, the sum of one dollar for each half day occupied by them in the performance of their duties, the same to be paid at the time of rendering such services by the party requiring the same.

SEC. 14.—This ordinance shall take effect on the fourteenth day of August, 1866.

OF CITY SURVEYOR.

XII.

AN ORDINANCE RELATIVE TO CITY SURVEYOR.

Passed May 1, 1865.

CITY SURVEYOR. SEC. 1.—The city of Adrian ordains: that a City Surveyor shall be appointed by the Common Council.

DUTIES OF. SEC. 2.—It shall be the duty of the City Surveyor, when so directed by the Common Council, to make all the necessary surveys and ascertain the boundaries of any of the streets in said city and to survey and lay out any new street that may be ordered by the Common Council; and to make all necessary plats, diagrams and maps of any and all streets, public grounds and places within said city, for the use of the Common Council, when required.

TO ESTABLISH GRADES. SEC. 3.—It shall also be his duty, whenever required by the Common Council, to ascertain and establish the proper grade to any avenue, street, lane, alley or sidewalk within the limits of the city, and, when required, to run out and stake off the same, and to make all necessary diagrams and profiles of such grades, and, when so directed, to record the same for the use of the Common Council.

TO MAKE SURVEYS, &c. SEC. 4.—He shall, when so required by the Common Council, make all necessary surveys and superintend the construction, enlargement and alteration of sewers and drains within the city; and shall generally perform such duties as may be required of him by any of the ordinances of said city, and by any order or resolution made or adopted by the Common Council from time to time. And he shall also deliver over to the City Recorder all papers, plans, plats and drafts relating to any survey, grade or other work made by order of the Common Council, and shall also make a written report of his doings and proceedings in all cases when so required by the Common Council.

SEC. 5.—This ordinance shall take effect on the ninth day of May, 1865.

OF THE CITY POLICE.

XIII.

AN ORDINANCE TO PROVIDE FOR A CITY POLICE.

Passed May 1, 1865.

SEC. 1.—The city of Adrian ordains: that a city police is hereby established, to consist of the City Marshal, who shall be chief

of the police, and such number of policemen as the Common City Police Council shall from time to time determine.

SEC. 2.—The policemen shall be appointed by the Mayor and City Marshal, by and with the advice and consent of the Common Council. How appointed.

Every policeman, before entering upon the duties of his office, shall take the oath of office prescribed by the constitution of this state, and shall also (except in the case of special policemen appointed for temporary duty) give bond to the city of Adrian in the sum of one thousand dollars, with good and sufficient sureties, to be approved by the Mayor, conditioned for the prompt and faithful performance of the duties of his office, and shall file such oath and bond with the City Recorder. Oath of office and bond.

SEC. 3.—Any policeman may be suspended from duty or removed from office by the Common Council at any time when, in their opinion, there shall be reasonable cause therefor. May be suspended.

The Mayor, also, shall have the power, and is hereby required, to suspend any policeman from duty, when in his opinion there shall be just cause therefor; and in case of any such suspension, the Mayor shall make report thereof to the Common Council at its next meeting, together with the cause and reasons therefor, and if he shall deem it necessary, he shall appoint special policemen to fill the vacancy caused by such suspension during the continuance thereof.

SEC. 4.—It shall be the duty of the Mayor, in case of emergency, alarm, or public danger, and whenever in his opinion the public good shall so require, to appoint such number of special policemen for temporary duty as he shall deem expedient. Special policemen.

SEC. 5.—Every policeman, when on duty, shall wear a five-pointed star, made of bright, polished metal, placed in a conspicuous place upon his person, as a badge of office. Badges.

SEC. 6.—The City Marshal, as chief of police, subordinate to the Mayor, shall have the absolute command of all the police force; and shall, subject to the approval of the Mayor and Common Council, make such rules and regulations for the government of the police, and for their observance when on duty, as may be deemed expedient; and he shall from time to time appoint such number of the policemen as may be necessary, to perform the duties of the night watchmen. He shall, by constant supervision and attention, see that every policeman is at all times faithfully discharging his duty, and he shall report promptly to the Mayor, and also to the Common Council, all delinquencies, neglect of duty or misconduct in office on the part of any policeman, and all complaints made to him for any such cause. City Marshal to have command of the police.

SEC. 7.—It shall be the duty of every policeman, and of every person appointed by the Mayor, or required by the chief Duties of policemen.

of police to perform the duties of a policeman or watchman, to observe and conform strictly to all the provisions of this ordinance, and all the rules that may be adopted for the government of the police force, or to regulate and prescribe their duties; and also to obey promptly all commands of the Mayor and chief of police in all matters relating to the duties of policemen and watchmen.

To arrest
drunken
persons.

SEC. 8.—It shall be the duty of the City Marshal, and of every policeman, to arrest any person found drunk in the streets of the city, and to lodge such drunken person in the county jail until he shall become sober.

And persons
guilty of
offences.

It shall also be the duty of the Marshal, and of every policeman, to apprehend any and every person detected in the commission of, or with the intent to commit, any crime or misdemeanor, or who shall be reasonably suspected of having committed any crime or misdemeanor, or who shall be found engaged in any brawl, quarrel, street fight or other disorderly or riotous conduct, or who shall have been detected in, or shall have been guilty of the violation of any ordinance of said city, or of any breach of the peace.

Policemen may
enter houses,
stores, &c.

SEC. 9.—The City Marshal and every policeman and watchman shall have power and authority, on reasonable ground of suspicion, to enter, in a peaceable manner, or, if resisted or refused admission after demand made, to enter with force, into any house, store, shop, saloon, grocery or other building or place in said city, in which any person or persons may be suspected to be for unlawful purposes, or where any person whom they have reason to believe to be guilty of any crime or offence is harbored or secreted, or where any person is who, during the night and in their presence or hearing, has committed any crime or offence, or where there is reasonable cause to believe that any person is about to commit any crime or offence, or where any person shall be causing any alarm, outcry or disturbance, and there arrest such person or persons.

Offenders, com-
mitment of.

SEC. 10.—Whenever any person shall be arrested as provided in this ordinance, he shall, if practicable, be taken forthwith before one of the Justices of the Peace of said city to be dealt with as the laws of the state or the ordinances of the city may require; but, if it shall not be practicable to take such person immediately before a Justice of the Peace as aforesaid, or if such arrest shall be made in the night or on Sunday, the person so arrested shall be lodged in the county jail and notice thereof (in case such arrest was made by a policeman) shall be given immediately by the party making the arrest, to the City Marshal, and it shall be the duty of the City Marshal, or, in case of his absence, it shall be the duty of the policeman making the arrest

Report of
commitment to
Marshal.

to take the person so arrested, within a reasonable time, before one of the Justices of said city, to be dealt with as aforesaid.

SEC. 11.—It shall be the duty of all persons in said city, when called upon by any member of the police, promptly to aid and assist him in the execution of his duties; and if any person shall neglect or refuse to give such aid or assistance, or if any person shall resist or in any manner interfere with any policeman or watchman in the performance of his duty, such person, on conviction thereof before any Justice of the Peace of said city, shall be punished by a fine not exceeding one hundred dollars and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days, or by both fine and imprisonment, in the discretion of the court.

Bystanders to
assist policeman

Resisting,
penalty, &c.

SEC. 12.—It shall be the duty of every policeman and watchman of the city, upon the discovery of a fire, to give the alarm, and to cause the alarm bells to be rung as promptly as possible. Also, to report promptly to the City Marshal every violation of any of the ordinances of said city that shall come to his knowledge, together with the name of the person or persons guilty of such violations, and the names of all witnesses by whom the same can be proven, so far as known to him.

Alarm of fire.

It shall also be the duty of every policeman to serve all process delivered to him for that purpose in suits and prosecutions commenced before any Justice of the Peace of said city for the violation of any of the ordinances of the city.

SEC. 13.—It shall be the duty of the City Marshal and every policeman to report on oath to the Common Council at its first regular meeting in every month—

To report to
Common
Council.

The name of every person arrested by him since his last report, and the cause of such arrest;

The name of every such person lodged by him in the county jail;

The name of every such person taken by him before any Justice of the Peace, and what disposition was made by the Justice of the case; the amount of money paid by such person, or by any other person on his behalf, as costs, or for other purposes, to the Justice, or to any other person;

The amount of the fine and costs of suit imposed, if any, and whether the same or any part thereof was paid, and to whom paid;

The amount of costs charged and received by him for his services in making such arrest and commitment, and for taking such party before such Justice; which reports shall be filed with and kept by the City Recorder.

SEC. 14.—Any policeman who shall neglect or refuse to per-

Neglect of duty. form any duty required of him by any ordinance of the city, or by any police rules adopted or approved by the Common Council, or shall neglect or refuse to perform any of the lawful requirements of the Mayor or chief of police, or who shall in the discharge of his official duties receive any bribe, or be guilty of any fraud, extortion, oppression, favoritism, partiality or willful wrong or injustice, shall be deemed guilty of an offense, and shall, on conviction thereof before any Justice of the Peace of said city, be punished by a fine of not less than five dollars nor more than one hundred dollars and costs of suit, and shall be removed from office.

Fine for.

To have copy of this ordinance. SEC. 15.—Before any policeman shall enter upon the duties of his office, he shall receive from the chief of police a small book, in which shall be posted or entered a copy of this ordinance, with all such rules as shall be prescribed by the chief of police and approved by the Common Council for the government and regulation of the police; such book shall be returned to the chief of police when the person receiving the same shall cease to be a policeman.

SEC. 16.—An ordinance entitled "An ordinance for the appointment of a special police," passed June 29, 1854, is hereby repealed.

SEC. 17.—This ordinance shall take effect on the ninth day of May, 1865.

XIV.

AN ORDINANCE RELATIVE TO THE APPOINTMENT OF POLICEMEN FOR THE PAVED DISTRICT OF THE CITY.

Passed December 17, 1866.

Policemen for paved district. SEC. 1.—The city of Adrian ordains: that there shall be appointed by the Mayor and Common Council not less than one policeman, whose duties shall be to act as policeman in the paved district of said city, and their powers and authority shall be the same as that of the other policemen of said city.

[Sec. 2, repealed September 21, 1868.]

SEC. 3.—This ordinance shall take effect on the 26th day of December, 1866.

XV.

AN ORDINANCE RELATIVE TO LICENSES.

Passed August 28, 1865.

License. SEC. 1.—The city of Adrian ordains: that no person, firm or company shall be engaged in, prosecute or carry on any trade, business or occupation, or do any act or thing hereinafter men-

tioned or described, until he or they shall have obtained a license therefor in the manner hereinafter provided.

SEC. 2.—There shall be paid for each license granted or issued under the provisions of this ordinance the sum herein stated respectively. Any number of persons may carry on business in copartnership at one place in said city under one and the same license granted to the firm therefor. Who required to take.

If any person, company or firm shall carry on any business or do any act requiring a license under this ordinance, at different places in said city, at one and the same time, he or they shall take out a license for and in respect of each place where such business shall be carried on.

SEC. 3.—Resident auctioneers shall pay for each license, for one year, the sum of twenty-five dollars, and for each license for one month or less the sum of ten dollars. Auctioneers.

Auctioneers not resident within the city shall pay for each license for one week or less the sum of forty dollars. Amendment July 15, '67.

But this section shall not apply to any person selling property by virtue of legal process or under a mortgage, nor shall that portion of it relating to non-residents apply to the sale of live stock, or furnishing utensils. Amendment July 15, 1867.

Such license shall only entitle the holder thereof to sell at auction in person, and not by proxy. Amendment May 6, 1867.

Provided, That this section shall not apply to persons selling real estate at auction. Amendment Nov. 13, 1872.

SEC. 4.—Peddlers or persons going about on foot from place to place in said city, carrying with them any goods, wares or property, and selling or offering the same for sale, shall pay for each yearly license the sum of five dollars. As amended Sept. 6, 1865. Peddlers on foot.

Peddlers or persons going about in said city with any wagon or vehicle drawn by any team, horse or mule, carrying goods, wares or property from place to place, and selling or offering the same for sale, shall pay for each yearly license the sum of fifteen dollars. Amended June 3, 1878, with vehicles.

Any person selling or exposing for sale any goods, wares, jewelry, or property from any hand-cart or show-case or show-stand, in any public street or other open space or place in said city, shall pay for each yearly license therefor the sum of twenty-five dollars. Amended June 3, 1878. From show stand.

This section shall not apply to persons selling fruits, vegetables, dairy or farm produce or butchers' meat. Exceptions.

Nor to bakers delivering bread and pastry to their customers at their dwellings in said city.

SEC. 5.—Proprietors, managers or conductors of theatrical or operatic exhibitions, representations or plays, shall pay for each license for one week the sum of twenty-five dollars. Theatres.

Circuses, &c. The proprietor or proprietors, managers or persons in charge of any circus, menagerie or caravan of animals shall pay for a license for each day during which such caravan, circus or menagerie shall exhibit or give any performances in said city the sum of forty dollars.

Side-shows. The proprietors, managers or persons in charge of any side-show, exhibition or performance attending or traveling with any circus or menagerie shall pay for a license for each day during which such show, exhibition or performance shall exhibit in said city the sum of five dollars.

Concerts, &c. The proprietors, agents, managers or persons in charge of all other public exhibitions, musical concerts, public entertainments, plays, games or shows for money, shall pay for a license for each exhibition, public entertainment or performance in said city the sum of five dollars.

Amendment July 1, 1870. The Mayor shall have power to grant licenses for theatrical plays or operatic exhibitions, concerts, shows, games or other public representations for such sum per day, not exceeding five dollars, as he may deem proper.

Every proprietor, agent, manager, person in charge, employee, assistant or performer in any circus, show, menagerie, public exhibition, play, game, performance or concert who shall be engaged in, assist or perform in any theatrical or operatic play or exhibition, or in any circus performance, menagerie, show, exhibition, public performance, entertainment, play, game or concert, for which a license shall not have been duly granted, shall be deemed guilty of a violation of this ordinance.

Exceptions. This section shall not apply to any exhibition or concert by the pupils of any private or public school or music teacher residing in said city, nor to any concert or entertainment for the benefit of any church or benevolent object.

Billiard tables. SEC. 6.—Keepers of billiard tables whereon other persons are permitted to play for pay or without pay shall pay for an annual license for each billiard table kept by him or them the sum of ten dollars. This section shall not apply to billiard tables kept in private dwelling houses upon which persons are not allowed to play for pay.

Bowling alleys. SEC. 7.—Keepers of bowling alleys whereon other persons are permitted to play or throw balls or bowl, shall pay for an annual license for each alley kept by him or them the sum of twenty-five dollars.

[SEC. 8.—Repealed July 2, 1874.]

[SEC. 9.—Repealed May 17, 1875.]

Butchers. SEC. 10.—Butchers and other persons selling meats in the public streets or other open places or spaces in said city, at retail, in less quantities to one purchaser at one time than twenty-

five pounds of beef or pork, or one quarter of the carcass of sheep, lamb or veal, shall pay for an annual license therefor the sum of ten dollars.

SEC. 11.—Any person carrying on two or more vocations or kinds of business, each of which, if carried on separately, would, by the provisions of this ordinance, require a license, shall take out a separate license for each vocation or business; *Provided*, that persons licensed as hotel keepers shall not be required to take out a license to carry on the business of common victualers in the same building occupied by him or them as a hotel. In case of more than one kind of business, &c.

SEC. 12.—All annual or yearly licenses hereafter granted shall expire on the first Monday of May next after the issuing thereof, and if less time than a year shall intervene between the issuing thereof and the first Monday of May next thereafter, the applicant for such license shall pay therefor at the yearly rate in this ordinance specified in proportion to such intervening time. When to expire.

SEC. 13.—No license shall be granted until the amount required to be paid therefor shall have been paid into the city treasury. Payment, when to be made.

SEC. 14.—All application for license shall be signed by the person or some one of the persons desiring the license, and shall state the business, occupation or matter to be licensed, the time for which such license is sought, and the names and residence of the persons engaged as proprietors or partners in such business or occupation, which application shall be filed with the City Recorder at or before the time of issuing the license. Applications for license.

SEC. 15.—All licenses required by the provisions of this ordinance, excepting licenses to hotel keepers, common victualers and saloon keepers shall be granted by the Mayor, and all licenses shall be signed by him and countersigned by the City Recorder, and shall state therein the time for which the same was granted. The City Recorder shall preserve a duplicate copy of each license hereafter granted. By whom granted and state what.

SEC. 16.—The Common Council may at any time revoke and annul any license hereafter granted whenever, in their opinion, it shall be expedient so to do. May be revoked

Whenever any license shall be revoked or annulled as aforesaid, the City Recorder shall give notice thereof in writing to the party to whom such license was granted, or to his or their agent or employee, in the business for which the license was granted. Notice of revocation.

SEC. 17.—For the issuing of any license which the Mayor is authorized to grant, he may require the payment of such sum therefor, in addition to the amount required by this ordinance to Additional charge for.

be paid for such license, as in his judgment the circumstances of the case may require.

As amended
May 7, 1866.

SEC. 18.—If any person licensed under the provisions of this ordinance to carry on the business of a hotel keeper, common victualer, saloon keeper, billiard table keeper or keeper of any bowling alley, shall violate any of the provisions of an ordinance relative to maintaining quiet and good order, such licenses shall be thereby annulled, and from thenceforth shall be utterly void and of no effect.

Forfeiture of
license, what
shall be.

And if any person licensed under the provisions of any ordinance of the city of Adrian to carry on any business, occupation or vocation shall, in the carrying on or prosecution of such business, occupation or vocation, violate any of the ordinances of said city, or shall carry on or prosecute such business, occupation or vocation at any time or in any manner or place prohibited by any ordinance of said city, such license shall be thereby forfeited and annulled, and from thenceforth shall be utterly void and of no effect.

Not assignable.

SEC. 19.—No license granted under the provisions of any ordinance of the city of Adrian shall be assignable for any purpose, nor shall any person carry on any business or do any act or thing under or by permission of any license granted to any other person or persons.

Prosecutions
for violations.

SEC. 20.—If any person shall without license, carry on any business, vocation or occupation, or do any act or thing in said city for which a license is required by the provisions of this ordinance, he shall be deemed to be guilty of a violation of the ordinance, and may be prosecuted therefor before any Justice of the Peace of said city.

Penalties.

If any person shall be convicted of any violation of this ordinance, he shall be punished by a fine of not less than twenty dollars and not exceeding one hundred dollars and costs of prosecution, or by imprisonment in the county jail for a period not exceeding sixty days, or by both fine and imprisonment, in the discretion of the court. And in the imposition of any such fine and costs, the court may make a further sentence that the offender be imprisoned in the county jail until such fine and costs shall be paid, provided such imprisonment shall not exceed sixty days.

SEC. 21.—An ordinance entitled "An ordinance relative to shows and exhibitions," passed and ordained May 16, 1853, is hereby repealed.

SEC. 22.—This ordinance shall take effect on the 5th day of September, 1865.

XVI.

AN ORDINANCE TO PROVIDE FOR TEMPORARY LICENSES.

Passed May 22, 1866.

SEC. 1.—The city of Adrian ordains: that the Mayor shall be and is hereby authorized to grant licenses to all proper persons applying therefor for the period of one week, including the time of the holding of any fair, for the purpose of keeping or using within said city any cab, hack, coach, omnibus or other vehicle for the transportation or carrying of passengers or persons from one part of the city to the other.

Amended
June 3, 1873.Mayor may
grant.

SEC. 2.—For the granting of any license in pursuance of the provisions of this ordinance, the applicant shall pay therefor such sum not less than forty dollars as shall be prescribed by the Mayor, and shall give and execute a bond with two sufficient sureties to the city of Adrian in the penal sum of five hundred dollars, to keep the peace and to obey all the ordinances of the city of Adrian.

Amended
June 3, 1873.Charge for, an-
nulling, &c.

SEC. 3.—No person shall keep or use within said city, during the time of any fair, any cab, hack, coach, omnibus or other vehicle for the transportation or carrying of any passengers or persons from one part of the city to another, for hire, without having first obtained a license therefor, and every such cab, hack, omnibus or other vehicle shall have the number of its license placed at all times in a conspicuous place on each side of such vehicle in large, legible figures. The owner or driver of every such cab, coach, carriage, omnibus or other vehicle may charge and receive for carrying any passenger or person from one place in said city to another, or from any place in said city to the place or ground of holding such fair, or from the ground or place of holding such fair to any place in said city, the sum of twenty-five cents, and no more or other compensation.

License to
cabs and
hacks at fairs.Charge to
passengers.

SEC. 4.—It shall be the duty of every policeman, during the time of any such fair, to arrest every person found without license in said city carrying on any business or doing any act or thing for which a license may be required by any ordinance of said city, and to take such persons forthwith before some Justice of the Peace of said city, to be dealt with as may be required by law.

Arrests for
violations.

If any person shall violate any of the provisions of this ordinance, he shall, on conviction thereof before any Justice of the Peace of said city, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars and costs of prosecution, or by imprisonment in the county jail for any period not exceeding twenty days, or by both fine and imprisonment, in the discretion of the court. And in case of the imposition of

Penalties.

any fine and costs, the offender shall be imprisoned in the county jail until the same shall be paid, provided that such imprisonment shall not exceed thirty days.

SEC. 5.—This ordinance shall take effect on the thirtieth day of May, 1866.

OF PUBLIC HEALTH.

XVII.

AN ORDINANCE RELATIVE TO PUBLIC HEALTH.

Passed May 14, 1866.

Health Dis-
tricts.

SEC. 1.—The city of Adrian ordains: that the city of Adrian shall be divided into two health districts, as follows: The First and Fourth Wards shall constitute the First Health District, and the Second and Third Wards shall constitute the Second Health District.

Health Com-
missioners.

SEC. 2.—There shall be appointed by the Common Council, in each year, a Health Commissioner in and for each Health District. Every Health Commissioner so appointed shall be a freeholder in said city, and shall hold his office until the first Monday of May next after his appointment, unless such appointment shall be sooner revoked by the Common Council.

City Physician.

SEC. 3.—There shall be appointed by the Common Council each year a City Physician; who shall hold his office until the first Monday of May next after his appointment, unless such appointment shall be sooner revoked by the Common Council.

Board of Health

SEC. 4.—The Health Commissioners, together with the Mayor, City Recorder and City Physician, shall constitute a Board of Health. The Mayor shall be President, and the Recorder Clerk of the Board.

The Board shall meet regularly once in each month, at the Common Council rooms in said city, and at such other times as they shall deem proper.

Record of,

Three members of the Board shall constitute a quorum; and the Clerk shall keep a record of the proceedings of the Board, and the Board shall prescribe the rules of its proceedings.

Health officers.

SEC. 5.—The City Marshal, Street Commissioner, constables and policemen of said city shall be health officers, and the Board of Health, with the consent of the Common Council, may appoint from time to time such additional health officers, to hold their offices during the pleasure of the Board, as the interests of the city may require.

The health officers, in addition to the duties required of them

by this ordinance, shall perform such other duties as may be re-^{Duties of.}
quired of them by the Board of Health.

SEC. 6.—The Board of Health shall have the power, and it is hereby made their duty—

1. To make such rules and regulations to be observed by the inhabitants of said city as to the Board shall seem necessary, to ^{Powers of Board, Rules, &c.} protect the inhabitants of said city against contagious, malignant and infectious diseases.

2. To make, and cause to be made, examination and diligent inquiry with respect to all sources and causes of disease existing within said city, and with respect, also, to all nuisances of every ^{To examine, &c.} description in said city which are or may be injurious to the public health, and to cleanse, abate or remove, or cause to be cleansed, abated or removed, all such nuisances and causes or sources of disease.

3. To make, or cause to be made, whenever and as often as to the Board shall seem necessary for the preservation of the health of the inhabitants of the city, or of any part thereof, full, complete and careful examination of all hotels, public houses, shops, buildings, tenements, dwellings, grounds, lots, areas, and all open places and spaces, and all cellars, sinks, vaults, privies, sewers and drains within said city. ^{Hotels and other places.}

4. To notify and require the owners, occupants and keepers of all hotels, public houses, shops, buildings, tenements, dwellings, grounds, lots, areas, open places or spaces and cellars, and the owners and occupants of all lots, places and premises in or upon which there shall be any sink, vault, privy, sewer drain or other unwholesome, foul, noisome or offensive place, to remove therefrom, within such time as to the Board shall seem proper, all filth, rubbish, garbage, decayed, unwholesome or offensive vegetables and meats, and all other foul, unwholesome, stinking and offensive substance or thing. And to cleanse and purify every such building, house, shop, place, space, dwelling, premises, cellar, vault, privy, sewer, drain, or other foul, unwholesome or offensive place from all filth, unwholesome and offensive matter and cause of disease. And to ventilate all wet, damp and unwholesome vaults and cellars. ^{To notify owners, &c.}

And to spread lime and such other disinfecting agents as the said Board shall designate, at such times and in such quantities as the Board shall direct, in and upon all damp, foul, noisome and offensive grounds, yards, areas, vaults, sinks, privies, buildings, places and cellars. ^{To spread lime, &c.}

5. To direct and require the owners and occupants of all lots, places and premises in or upon which there shall be any kind of nuisance which is or may be injurious to the public health, to abate and remove such nuisance within such time as the Board shall direct. ^{To remove nuisances.}

And in case any such lot, place or premises shall be unoccupied, and the owner not a resident of the city, to enter upon such place, lot or premises, or to direct any health officer or any other officer or person in the employ of said Board, to enter thereon, and to abate or cause every such nuisance to be abated, and to cleanse and purify such lot, place or premises from every foul, unwholesome or offensive substance and cause of disease.

And to abate,
&c

When board
to abate.

SEC. 7.—In case any person shall neglect or refuse to comply with any order or requirement that the Board of Health or any member thereof may make, under the provisions of section six of this ordinance, within such time as may be prescribed for such performance, then it shall be the duty of the Board to cause the matter or thing so ordered or required to be done, to be done and performed within such time as to the Board shall seem proper.

Hospitals, &c.

SEC. 8.—The Board of Health is hereby authorized, and it shall be their duty whenever occasion shall require, to rent or otherwise provide a suitable house or houses, either within or without the limits of said city, to be used as hospitals for the treatment of persons suffering from contagious, malignant or infectious diseases, and to employ such nurses, officers, agents, servants or assistants, and to provide the necessary furniture, medicine, articles and necessities for the use of such hospitals and the persons therein confined as may be deemed necessary; and every such hospital shall be under the direction of the Board of Health.

Infected persons to be examined, &c.

SEC. 9.—It shall also be the duty of the Board of Health to stop, detain and examine, or cause to be stopped, detained and examined, every person infected with any contagious or pestilential disease, in order to prevent the introduction of such disease into the city.

Also to cause any person not a resident of said city, who is infected with any such disease, to be sent back to the place from whence he or she came, or to the hospital.

And to be removed to hospitals.

Said Board may also cause any resident of said city, who is infected with any contagious or pestilential disease, to be removed to the hospital, if, in the opinion of the City Physician, the removal of such person is necessary for the protection of the public health; provided, however, that such removal can be effected with safety to the patient.

Property exposed to infectious diseases to be destroyed.

SEC. 10.—Said Board is authorized to destroy and cause to be destroyed any furniture, wearing apparel, goods, wares and merchandise or articles of property of any kind which shall be exposed to or infected with any contagious or infectious disease; provided, that before any such property or effects shall be destroyed, the same shall be appraised by two disinterested per-

sons, in order that remuneration may be made therefor by the Common Council.

SEC. 11.—In case any person shall be sick in any house, building or tenement in said city with the small-pox or varioloid, it shall be the duty of the Board of Health to cause to be put up and maintained, in a conspicuous place on the front of such house, building or tenement, a board or sign upon which the words "Small-Pox" shall be written or printed in large letters, and the occupant of every such house, building or tenement shall, whenever required by any health commissioner or health officer, place a like board or sign in a conspicuous place upon the front of such house, building or tenement, and there maintain the same so long as may be required by such commissioner or officer.

SEC. 12.—No person shall throw, place or conduct, or suffer his or her servant, child, family or employee to throw, place or conduct into any street, alley or lot any unsound beef, pork, fish, hides or skins of any kind, or any filth, offal, dung, filthy or infectious matter, bloody water, dead animals, vegetables, oyster shells or other not to be thrown in streets, unsound or offensive matter whatever, or anything likely to become offensive; nor shall any person allow such filth, offal, dung or other offensive matter as aforesaid to be or remain upon his or her premises, or in any outhouse, privy, stable or other place owned or occupied by him or her, in such a manner as to be offensive to any person residing in the vicinity of such lot, premises, house, building, privy or place.

SEC. 13.—No person shall throw, place or deposit any dung, carrion, dead animals, offal, filth or other unwholesome, putrid or offensive substances, or the contents of any privy, upon the margin or banks or into the waters of any river, stream or pond within the limits of said city.

SEC. 14.—No person shall slaughter any swine, sheep, calves or neat cattle, nor skin or dress any such slaughtered animals, nor keep any pigs or swine in any sty or place within the fire limits of said city. Nor shall any person keep any green or uncured skins or hides in or upon any building, place or premises within the fire limits of said city for a longer time than twenty-four hours.

SEC. 15.—No person shall keep or maintain any slaughter-house nor slaughter any swine, calves, sheep or neat cattle within the limits of the city, except in such place or places as shall be designated and permitted by the Common Council.

SEC. 16.—No owner or keeper of, or employee in, any butcher's shop, meat market or other shop, store or building where meats are kept for sale, shall suspend or expose any carcass or meats upon or over any sidewalk.

As amended
Sept. 21, 1868.

Stables, butch-
ers' shops, &c.

Offensive
meats, &c.

Sale or keeping
of.

Small-pox,
varioid, &c.

Hotel keepers,
duty of.

Physicians,
duties of re-
ports, &c.

SEC. 17.—No person shall, without the permission of the Common Council, keep any stable, tallow chandler's shop, butcher's shop, pig sty, meat market, soap or candle factory or dye-house within twenty feet of any dwelling-house without permission first obtained in writing from the occupant of such dwelling-house; and for each and every day during which any person shall keep or use any such stable, shop, market, sty, factory or dye-house, contrary to the provisions of this section, he shall be deemed to be guilty of a distinct and separate violation of this ordinance.

SEC. 18.—No person keeping any butcher's shop or meat market shall keep or allow to remain or be therein any unwholesome, tainted, decaying, putrid or offensive meats, grease, fat, bones or other offensive or nauseous substance or thing.

Nor shall any butcher, keeper of any meat market or other person sell or offer for sale any unwholesome, tainted, diseased or decaying meats, poultry, fish or vegetables within said city.

Nor shall any person keeping or using any stable, pig sty, butcher's shop, meat market, privy, tallow chandlers' shop or other place, lot, building or premises allow the same to be encumbered with any filth, putrid, nauseous, offensive, decaying or unwholesome substance or thing at any time, or to become unhealthy, noisome, offensive, or to be or become in such condition that any unhealthy or offensive exhalations, odor or stench shall at any time arise therefrom.

SEC. 19.—No person shall bring or cause to be brought into the city of Adrian any person infected with the small-pox, varioid or any other infectious or pestilential disease.

No person having the small-pox, varioid or any other contagious disease shall go about the city; nor shall any person who has been confined with any such disease go about in said city or leave his or her place of abode or confinement, until in the opinion of his or her physician it can be done without communicating the disease to others.

SEC. 20.—The keeper of any tavern, boarding or public house in which any inmate thereof shall be sick with small-pox, varioid or other infectious or pestilential disease, shall forthwith report the same to the Board of Health, or to some member or the Clerk thereof; and the keeper or keepers aforesaid, if required by the Board, shall close such house immediately, and keep it closed against all lodgers and customers until the patient is removed, and such house is thoroughly cleansed and ventilated.

SEC. 21.—Every physician, or person acting as such, who shall have a patient sick of the small-pox, varioid or other contagious or pestilential disease, shall immediately report the

fact in writing to the Board of Health, together with the name of the patient (if known) and the designation of the house and street where such sick person may be.

SEC. 22.—It shall be the duty of every health commissioner to enter upon the premises and into the house, store, shop, buildings and tenements of every person in his district as often as he shall deem necessary, or the Board of Health shall order, and to examine into the health, cleanliness and number of persons inhabiting such house, and inspect the cellars, vaults, privies, sewers, buildings and tenements on such premises, and to ascertain and examine all nuisances detrimental to the public health, and all causes and sources of disease that may exist in his district, and to report thereon forthwith to the Board of Health.

Board of Health
to make exami-
nations, &c.

And every health officer of said city shall make like examinations and reports when required so to do by the Board of Health or by any member thereof.

Health Officers,
Commissioners,
&c.

And every health commissioner and health officer shall execute all orders and resolutions of the Board of Health in such manner as the Board shall direct, and it shall be the duty of the several health commissioners and health officers in and for the city to cause all persons violating this ordinance to be promptly and speedily prosecuted therefor.

SEC. 23.—Whenever any lot, house, building, tenement, vault, cellar, sink, privy, sewer, drain or place in said city shall be found to be encumbered with any foul or stagnant water, filth, or any putrid, decayed, unwholesome or offensive substance or thing, or nuisance, or cause or source of sickness or disease, or shall be found in such condition as to cause any unhealthy or offensive exhalations, odor or stench to arise therefrom, or shall be found in such condition as to be likely to cause any disease or sickness, or to cause any unhealthy or offensive exhalations, odor or stench to arise therefrom, it shall be the duty of the Board of Health and of the Health Commissioner of the district in which such lot, house, building, tenement, vault, cellar, sink, drain, privy or place may be, forthwith to notify and require the owner or occupant thereof to cleanse and purify such place, house, lot, building, tenement, sewer, sink, drain, privy or place and to remove therefrom all foul or stagnant water, filth, unwholesome or offensive substances or cause of disease, and to abate such nuisance within such time as the Board or officer giving the notice shall designate, and within the same time to put such premises, lot or place in such condition that no unhealthy or offensive exhalations, odor or stench shall arise there-

Places encum-
bered with
nuisances,
clearing of, &c.

§22. Duties of Health Commissioner except in certain cases are required to be performed by City Marshal by ordinance passed Dec. 17, 1866. See page 104

from, and, if required by the Board or such Commissioner, to spread lime or such other disinfecting substance as the Board or Commissioner shall designate, in such quantities and at such times as the Board or Commissioner shall require, into and upon any such unwholesome or offensive place.

SEC. 24.—It shall be the duty of the City Physician—

To attend the meetings of the Board of Health;

To report to the Board of Health all nuisances and causes of diseases in said city that shall come to his knowledge; the prevalence of any epidemic, contagious or infectious disease, and all causes which, in his opinion, are likely to be detrimental to the general health;

City Physician,
duties of, &c.

To make such recommendations from time to time to the Board of Health, concerning the sanitary condition of the city, as to him shall seem proper;

To examine into the cause, nature and extent of any infections or pestilential disease that may appear in said city, and to report the facts concerning the same to the Board of Health, and to perform such other duties as may be required of him by the Board;

To superintend the hospitals when required so to do by the Board of Health, and to give medical treatment to the patients therein who have no other physician, and to attend and give medical treatment to such indigent persons within said city as the Board of Health may direct;

To examine, at the request of the Mayor or any Alderman or officer of the Health Department, any building, place or premises in said city that may be supposed to be infected by any contagious or infectious disease, or that may cause disease, and advise such officer what disposition should be made in relation to the same;

Vaccination.

And, when required by the Board of Health, he shall vaccinate all such indigent persons within said city who shall apply to him for that purpose.

Board of Health
officers may
enter and
cleanse impure
places.

SEC. 25.—For the purpose of carrying out and enforcing the provisions of this ordinance, every member of the Board of Health and every health officer, together with their assistants; agents and employees, are hereby authorized and shall be permitted, at all times from the rising to the setting of the sun, and at such other times as the Board of Health may direct, to enter into any house, store, stable, cellar or other building, and to cause the floors to be raised, if he or they shall deem it necessary, in order to a thorough examination of all cellars, vaults, sinks, drains or other places that may be suspected of being foul, offensive or unwholesome, and to enter upon all lots, grounds, yards, places and spaces for the purpose of making such exami-

nation as aforesaid, and to cleanse and purify every unwholesome, offensive or filthy place, and to remove all unwholesome, filthy or offensive substance and cause or source of disease, and to abate every nuisance prejudicial to the health of any of the inhabitants of said city.

SEC. 26.—Whenever, in the opinion of the Common Council, it shall be necessary or expedient for the preservation of the health of the inhabitants of the city, or of any part thereof, to cause any lot, building, place, premises, sewer, vault or sink to be drained, cleansed, purified or disencumbered of any standing, stagnant or filthy water, or other filthy or unwholesome or impure thing or nuisance, or cause or source of disease, the Council may, by an order or resolution to be entered upon their minutes, require the owner or occupant of such lot, building, place, premises, sewer, vault or sink, to drain, cleanse, purify and disencumber the same from all such standing, stagnant or filthy water, or other filth or unwholesome or impure thing or nuisance or cause or source of disease, within such time and in such manner as the Council, in such resolution, shall direct.

Owner may be required to cleanse

And in case such owner or occupant shall be a non-resident, or shall not be found within said city, or shall fail or neglect to perform all or any part of the requirements of such order or resolution, then in such case the Common Council may cause the duty or thing required in and by such order or resolution to be done and performed by such officer or person as the Common Council shall designate for that purpose.

Or Council may cause it to be done.

SEC. 27.—In case the owner or occupant of any lot, building, place or premises, or of any premises upon or in which there may be any vault, sink, drain or unwholesome or offensive place, thing or nuisance, shall fail, neglect or refuse to obey, observe and perform any order or requirement of the Board of Health or of any member thereof, for the cleansing and purifying thereof, or for the removal of any nuisance or unwholesome or offensive substance or cause of disease therefrom within the time and in the manner prescribed therefor by the Board or by such member thereof, or shall fail to apply lime or other disinfecting agents to and upon damp, offensive and unwholesome places when required so to do, or in case the owner or occupant of such lot, place or premises cannot be found within said city, then and in every such case it shall be the duty of the Board of Health to cause the duty, labor or thing so ordered or required to be done, to be forthwith done and performed by such officer, person or agent as the Board shall designate for that purpose; provided, that the expense thereof to be expended at one time upon any separate lot or premises shall not exceed thirty dollars.

When occupant shall neglect, &c.

SEC. 28.—In case the owner or occupant of any lot, place or premises shall fail or neglect to drain, cleanse, purify or disencumber the same from all stagnant, standing or filthy water, and other filthy, unwholesome or offensive substance or nuisance when required so to do, or shall fail or neglect to perform any other order or requirement of the Common Council or Board of Health, or any member thereof, made for the preservation of the health of the inhabitants of said city, and the Common Council or Board of Health shall cause such duty, labor or thing so required or ordered to be done or performed, the expense thereof shall be forthwith reported to the Common Council, and the same, or so much thereof as shall be just, shall be allowed and paid and the amount so allowed shall be deemed to be a special assessment against the owner, occupant or person whose duty it was to perform such duty, labor or thing so ordered or required, and upon the lot or premises upon which such expense was incurred, and shall be added to, and collected with the city tax, to be levied against such person and on said premises in the general tax roll next thereafter to be made, or the same shall be levied or collected in such other manner as the Common Council may prescribe.

Expenses of
cleansing in
certain cases.

SEC. 29.—If any person shall fail, neglect or refuse to obey or perform any of the lawful orders or requirements of the Board of Health, or of any member thereof, or of any health officer of said city, within the time and in the manner prescribed for complying with such order, or performing the duty or thing required, or shall fail or refuse to observe and abide by such rules and regulations as shall be prescribed by the Board of Health for the preservation of the health of the inhabitants of said city, or shall in any manner hinder, interfere with or prevent any member of the Board of Health or any health officer or other person from performing any of the duties or exercising any of the powers conferred or imposed upon him under this ordinance, or from performing any of the duties that may be required of him by the Board of Health or any health commissioner or health officer, or shall fail or neglect to observe and perform the requirements of any order or resolution of the Common Council made or passed in accordance with this ordinance, then and in each and every such case each person shall be deemed to be guilty of a violation of this ordinance.

What a viola-
tion of this
ordinance.

SEC. 30.—All general rules and regulations that may be made by the Board of Health, for the protection and preservation of the health of the inhabitants of the city, shall, as soon after the adoption thereof as practicable be published at least once in the official paper of the city.

Rules of the
Board to be
published.

Compensations,
&c.

SEC. 31.—The Health Commissioners, Health Officers and

City Physician shall receive such compensation for their services as the Common Council shall prescribe. Provided, however, that the compensation of the City Physician shall not exceed seventy-five dollars in any one year. Amended Sept. 27, 1881.

SEC. 32.—If any person shall be guilty of a violation of this ordinance, he shall, upon conviction thereof before any Justice of the Peace of said city, be punished by a fine of not less than fifteen dollars or more than one hundred dollars and costs of prosecution, or by imprisonment in the county jail for not less than three days nor more than thirty days, or by both fine and imprisonment, in the discretion of the court; and in the imposition of any such fine and costs, the court shall make a further order that the offender be imprisoned in the county jail until such fine and costs shall be paid; provided, however, that such imprisonment shall not exceed fifty days. Penalties.

SEC. 33.—This ordinance shall take effect on the twenty-second day of May, 1866.

SEC. 34.—No person or persons shall connect any cellar, vault or premises with, or make or cause to be made any opening or entrance into any public sewer in said city of Adrian, except by permission first obtained of the Common Council of said city; and no person or persons shall keep or maintain any such opening or entrance into or connection with any public sewer of said city, except under the regulations hereinafter provided in sections 35 and 36. Sewers' connection with. Amendment of Dec. 16, 1872.

SEC. 35.—It shall be the duty of every person connecting any private drain or sewer with, or making or causing to be made any opening or entrance into any public sewer in said city, at the time of making such connection or entrance into the public sewer, to construct in connection with such private drain or entrance a stench trap, or some suitable arrangement for the effectual prevention of the escape of all foul gases, or other offensive odors and exhalations from such public sewer through such private drain or entrance. Connection to be with stench trap. Amendment of Dec. 16, 1872.

The stench trap, or other suitable arrangement for the preventing of the escape of foul gases, as herein required, shall be connected with such private drain or entrance to the public sewer under the direction and supervision of the Street Commissioner of said city, and in a manner satisfactory to the Committee on Public Health.

SEC. 36.—It shall be the duty of the owner and of the occupant of the premises connected with the public sewer by any private drain or entrance, to at all times keep such private drain, entrance into and connection with such public sewer, and the stench trap or other arrangement for the preventing the escape of foul gases, as required in section 35, in good repair; and shall Stench trap kept in repair

Amendment of at all times keep such stench trap or other arrangement filled with water, so as to prevent the escape of any foul gas, or other offensive or nauseous odors.
Dec. 16, 1872.

Penalty. SEC. 37.—Any person who shall be guilty of a violation of this ordinance, shall, upon conviction thereof before any Justice of the Peace of said city, be punished by a fine of not less than fifteen dollars or more than one hundred dollars, and costs of prosecution, or by imprisonment in the county jail not less than three nor more than thirty days, or by both fine and imprisonment in the discretion of the court, and each day that any private drain, sewer or entrance shall remain connected with any public sewer in violation of sections 34, 35 or 36 of this ordinance, shall be deemed a distinct and separate violation of this ordinance.
Amendment of
Dec. 16, 1872.

XVIII.

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE RELATIVE TO PUBLIC HEALTH."

Passed Dec. 17, 1866.

City Marshal, duties of as Health Commissioner. SEC. 1.—The city of Adrian ordains: that all the duties required by an ordinance of said city, entitled "An ordinance relative to public health," to be performed by the Health Commissioner of said city of Adrian, except to meet and act with the Board of Health of said city at its meetings, shall hereafter be performed by the City Marshal.

SEC. 2.—This ordinance shall take effect on the twenty-sixth day of December, 1866.

OF SHOPS AND PLACES OF BUSINESS.

XIX.

AN ORDINANCE RELATIVE TO THE LOCATION OF SHOPS AND PLACES OF BUSINESS.

Passed May 14, 1866.

Business and vocations, how restrained in certain cases. SEC. 1.—The city of Adrian ordains: that whenever the Common Council shall deem it expedient to prohibit the location or erection of any shop or the carrying on of any mechanical or other trade, vocation or business, within or upon any locality, lot, ground or place within said city, the Common Council shall, in and by a resolution to be entered in

their minutes, designate and specify such locality, lot, ground or place, and shall in the same resolution prohibit and forbid the location or erection of such shop, and the carrying on and prosecution of such trade, vocation or business (specifying and designating the same), within or upon such lot, locality, ground or place.

Such resolution shall be published with the proceedings of the Council.

SEC. 2.—After the passage of any such resolution as is mentioned in the first section of this ordinance, no person shall, contrary to or in violation of the prohibition in such resolution, locate, place or erect, or aid or assist in locating, placing or erecting any such shop, in or upon the lot, location, ground or place, designated in such resolution, nor shall any person contrary to or in violation of the prohibition in such resolution, carry on or prosecute, or aid or assist in carrying on or prosecuting, in or upon any location, lot, ground or place designated in such resolution, any trade, vocation or business prohibited or forbidden in such resolution.

Prohibition to be observed.

SEC. 3.—If after the passage of any such resolution as is mentioned in the first section of this ordinance, any person shall do any act or thing or carry on or prosecute any trade, vocation or business, contrary to or in violation of the prohibition in such resolution contained, he shall be deemed to be guilty of a violation of this ordinance.

Violations of this ordinance, what.

And for each and every day during which he shall carry on, or prosecute such trade, vocation or business, or do such act or thing, contrary to, or in violation of the prohibition in such resolution contained, he shall be deemed to be guilty of a separate and distinct violation of this ordinance, and may be prosecuted therefor as for a separate and distinct offense.

SEC. 4.—If any person shall be guilty of a violation of this ordinance, he shall, upon conviction thereof before any Justice of the Peace of said city, be punished by a fine of not less than thirty dollars, nor more than one hundred dollars and costs of prosecution, or by imprisonment in the county jail for not less than five days nor more than thirty days, or by both fine and imprisonment in the discretion of the court, and on the imposition of any such fine and costs, the court shall make a further sentence, that the offender be committed to the county jail, there to remain until such fine and costs shall be paid, provided that such imprisonment shall not exceed forty days.

Penalties.

SEC. 5.—This ordinance shall take effect on the twenty-second day of May, 1866.

XX.

AN ORDINANCE RELATIVE TO BAKERS AND BAKERIES.

Passed March 7, 1864.

The Common Council of the city of Adrian do ordain as follows:

Prohibition,

SEC. 1.—No person shall exercise the trade or vocation of a baker, or establish or maintain a bakery at any place within the fire limits of the city of Adrian, unless the wall and floor of the building in which the oven or ovens are situated shall be of brick, stone or other fire-proof material.

Penalties.

SEC. 2.—Any person who shall exercise the trade or vocation of a baker, or establish or maintain a bakery in violation of the provisions of this ordinance, shall on conviction thereof before any Justice of the Peace of said city, be punished by a fine of one hundred dollars, or by imprisonment in the county jail not exceeding ninety days, or both fine and imprisonment, at the discretion of the court.

New violation.

SEC. 3.—The continuance of the exercise of such trade or vocation, or the maintenance of such bakery, after a conviction or prosecution for a violation of this ordinance, shall be deemed a fresh violation and be punished accordingly.

SEC. 4.—This ordinance shall take effect in ten days after its passage, and shall be published for five days previously in the Daily Watchtower and Daily Expositor.

OF PUBLIC CARRIAGES.

XXI.

AN ORDINANCE IN RELATION TO PUBLIC CARRIAGES.

Passed Nov. 14, 1864.

Prohibition.

SEC. 1.—No person shall keep or use for hire within the limits of the city of Adrian, any public carriage, cab, hackney coach, omnibus or other vehicle without a license therefor from the Common Council.

License for.

SEC. 2.—The Common Council is hereby authorized to grant licenses for the purposes aforesaid to any resident of the city of Adrian of the age of twenty-one years and upwards and of good moral character, upon his paying into the city treasury the sum of five dollars for each carriage, cab, hackney coach, omnibus or other vehicle to be kept or used for public hire as aforesaid; which license shall remain in force one year from the date thereof, and no longer, and where more than one such carriage, cab,

hackney coach, omnibus or other vehicle shall be owned, kept or used by the same person or persons for the purposes aforesaid, there shall be a separate license for each of such carriages, cabs, hackney coaches, omnibuses or other vehicles.

SEC. 3.—Every conveyance licensed under this ordinance, when driven or used at night, shall be provided with two light^L numbers ed lamps with plain glass fronts and sides, and having the number of the license of the conveyance painted in legible characters thereon, to be placed in a conspicuous place on the outside of such conveyance in such a manner that the same may be distinctly seen and read when the conveyance is standing or in motion.

SEC. 4.—Every person licensed under this ordinance to keep a public conveyance shall at all times keep and use a good, sufficient and safe conveyance and team^{Team, kind of.} for that purpose.

SEC. 5.—Upon any person being placed in any such conveyance, the same shall be driven by the most direct and safe route to the place to which such person or persons wish to go, and not elsewhere. And no drivers or owners of any such conveyance, except omnibuses, shall, without the consent of the persons therein, or of the person who first engaged such conveyance, place therein any other person; and no owner or driver of any such conveyance shall suffer the same to remain in any street, square, lane or alley without some proper person to take care of the same. ^{Duty of driver.}

SEC. 6.—No person, unless licensed as herein provided, shall charge or receive any fare or pay, for the use or hire of any public conveyance, or for the conveyance of any person or passengers therein within the limits of said city. Nor shall any person keep or use any conveyance within said city for the carrying of persons or passengers for hire unless licensed for that purpose as herein provided. ^{Not to charge fare unless licensed.}

SEC. 7.—The drivers or owners of public conveyances, licensed as herein provided, may demand and receive for conveying passengers the following rates or prices of fare, and no more, to-wit: Twenty-five cents per ride for each passenger within the following limits, viz., bounded on the south by Beecher street; on the west by Scott street, from Beecher street to Railroad street, and from Railroad street to Camburn street by Springbrook avenue; and on the north by Camburn, Seeley and Mulberry streets; and on the east by the corporation limits, and forty cents for each passenger beyond said limits. Children between five and ten years of age, accompanied by persons in charge, shall be charged half fare only, and children under five years of age shall be carried free of charge. Provided that after eleven o'clock at night and until six o'clock in the morning said ^{Amended June 2, 1873.} ^{Amended June 5, 1882.}

drivers or owners may demand and receive double the fees above provided from passengers upon trains due to arrive after eleven o'clock at night and before six o'clock in the morning.

Name of owner,
card of.

SEC. 8.—There shall be fixed in each conveyance licensed under this ordinance, and in such manner as to be conveniently read by any person in the same, a card containing the name or names of the owner or owners of the conveyance, the number of his license for the same, and the whole of section seven of this ordinance; such card to be furnished by the city of Adrian to any person licensed as aforesaid who shall apply for the same at the office of the Recorder.

Ordinance to
apply to whom

SEC. 9.—This ordinance shall apply to any carriages that may at any time be used or kept for public hire, and to all omnibuses or carriages kept by hotel keepers for the purpose of conveying passengers for hire to and from the railroad depot or other places in said city.

Penalties.

SEC. 10.—Any violation of or failure to comply with the provisions of this ordinance, shall be punished by a fine of not less than five dollars, nor exceeding twenty-five dollars and cost of suit, to be enforced by suit before any Justice of the Peace of said city, and in the imposition of any such fine and costs, the court may make a further sentence that in default of the payment thereof within the time fixed in such sentence, the offender be committed to the county jail for a period not exceeding thirty days, and until such fine and costs shall be paid.

SEC. 11.—This ordinance shall be published twice in the Adrian Daily Expositor and twice in the Adrian Daily Watchtower, and shall take effect at the expiration of thirty days after its passage.

Added Nov. 28,
1864.

SEC. 12.—This ordinance shall not be construed to require any license to be taken out for such carriages and vehicles as shall be kept by livery stable keepers and others, to be hired or let to other persons to be used and driven by the person or persons hiring the same.

XXII.

AN ORDINANCE RELATIVE TO THE LOCATION OF PUBLIC HACKS AND CARRIAGES.

Passed July 11, 1870.

Stands to be
designated by
City Marshal.

SEC. 1.—The city of Adrian ordains: that all drivers of public hacks and carriages as may or shall desire to run to and from hotels and public houses for the carrying of passengers to and from such hotels and public houses, shall take and occupy in front of such public houses and hotels, only such place or places as the City Marshal shall designate.

SEC. 2.—Any driver of a public hack or carriage who shall take or occupy the stand so designated for another, and shall not remove therefrom when requested by the person designated to occupy the same, shall be liable to a fine not exceeding five dollars upon conviction before any Justice of the Peace of said city. ^{Penalty.}

SEC. 3.—This ordinance shall take immediate effect.

OF ANIMALS RUNNING AT LARGE.

XXIII.

AN ORDINANCE TO RESTRAIN NEAT CATTLE FROM RUNNING AT LARGE.

Passed Dec. 26, 1853.

The Common Council of the city of Adrian do ordain as follows:

SEC. 1.—It shall not be lawful for any sheep, horse, colt, cow, ox or other neat cattle to go or be at large within the limits of the city of Adrian. from and after July 1st, A. D. 1879. ^{Amended July 1, 1879.}
^{Not to run at large.}

SEC. 2.—When any sheep, horse, colt, cow, ox or other neat cattle shall be found running at large within the limits of said city, it shall be lawful for any person or persons to take up and secure the same, and within twelve hours thereafter to give a written notice thereof to the Marshal of said city, who shall thereupon give public notice of the sale of the same at public auction to the highest bidder at such place as shall be specified in said notice; and the same shall be sold accordingly, and out of the proceeds of such sale, the said City Marshal shall pay the person or persons who have taken up such sheep, horse, colt, cow, ox or other neat cattle, fifty cents per day for each such animal so taken up and kept by him or them, and after deducting for his own services the sum of fifty cents for each such animal so sold shall pay the residue of the proceeds of such sale to the Recorder of said city to be paid over to the owner of such animal, on proof of the property therein: *Provided*, that if the owner or owners of such animal, shall, previous to the time of sale, prove property and pay all charges then incurred under the provisions of the ordinance, including fifty cents to the Marshal for giving notice of sale of each animal taken up as aforesaid, then such animal shall be delivered up to said owners. ^{Taking up and sale of, fees, &c.}
^{Amended July 1, 1879.}

Note—See Laws 1879, p. 251, in regard to pounds and impounding animals.

SEC. 3.—The notice of sale provided for in the last preceding section, shall state the time and place of sale and contain a description of the property to be sold, and shall be posted in three public places in said city at least three days before the time of making such sale, and in all cases the sale shall be made within seven days after such property shall be taken up.

Notice of sale to contain what.

SEC. 4.—This ordinance shall be published in the Adrian Watchtower and Adrian Evening Expositor, and become a law from and after the first day of January, A. D., 1854.

XXIV.

AN ORDINANCE CONCERNING POUNDS AND ANIMALS IMPOUNDED.

Passed Nov. 1, 1875.

SEC. 1.—The city of Adrian ordains: that the Street Commissioner, when instructed by the Common Council, shall construct or provide one or more good and suitable pounds at such place or places in said city as shall be designated by said Council, to be placed under the care and direction of a Pound Keeper for each pound, to be appointed by the Common Council, who shall act as such Pound Keeper during the pleasure of said Common Council.

Pounds to be provided.

SEC. 2.—No sheep, swine or geese shall be permitted to run at large in said city, and if found running at large within the same, any such animal may be impounded in either of the common pounds of said city, from whence they shall not be released until the owner or owners or some other person shall pay to the Pound Keeper the sum of fifty cents for each sheep or swine and the sum of ten cents for each goose so impounded, together with ten cents for the proper sustenance of each sheep or swine, and five cents for the proper sustenance of each goose; *Provided*, such sheep, swine or goose shall remain in said pound at least six hours, otherwise no charge shall be made for the sustenance of the same; and in case such sheep, swine or goose shall remain in said pound for a longer time than six hours, then and in such case the Pound Keeper shall receive for the sustenance of each sheep or swine ten cents, and for each goose five cents for every twenty-four hours the same shall be kept in said pound.

Swine and geese

Amended July 1, 1879.

SEC. 3.—No horse, colt, cow or other neat cattle shall be permitted to run at large within the limits of said city, and if found running at large within the same, it shall be lawful for the Pound Keeper to impound the same in either of the common pounds of said city, from whence they shall not be released until the owner or owners or some other person shall have paid to said Pound Keeper the sum of fifty cents for each of such animals, and in case they remain in said pound for a period of six

Horses and cattle.

Amended July 1, 1879.

hours, such Pound Keeper shall receive for the proper sustenance of each of such animals the sum of fifteen cents, and if such animals remain in said pound exceeding six hours, then, and in that case the said Pound Keeper shall receive for each animal so impounded for every additional twenty-four hours the same shall be kept, the sum of twenty-five cents for such sustenance.

SEC. 4.—It shall be the duty of each Pound Keeper to provide necessary sustenance for all animals so impounded which shall remain in said pound at least six hours, and the amount in this ordinance provided to be paid for the sustenance of such animals shall be paid to the Pound Keeper before such animals shall be released from the pound, and it shall be lawful for the Pound Keepers to sell at public vendue any animal or animals impounded in pursuance of the provisions of this ordinance, at any time after the expiration of three days from the time the animal shall be so impounded, unless the same shall be redeemed as hereinafter provided, the Pound Keeper giving at least forty-eight hours' previous notice of the time and place of sale by posting notices in three public places in said city, one of which shall be the post-office. But said animals or any of them, may be redeemed by paying the Pound Keeper at any time before the sale, the amount specified in the preceding sections of this ordinance, and thereupon the same shall be released by the Pound Keeper.

Sustenance of animals.

Sale of animals.

SEC. 5.—It shall be lawful for any person who may impound any animal running at large at the times specified in the preceding sections of this ordinance, or when any animal shall break or jump into any lands which shall be enclosed with a lawful fence as stated in section three of this ordinance, to take up and impound such animals in the city pound, which said animals shall be received by the Pound Keeper and dealt with in the manner hereinbefore provided, and the Pound Keeper shall charge and receive therefor the same fees for the impounding of such animal and the sustenance thereof as in other cases, and shall pay to such person so impounding such animal out of such fees and charges after such animals shall be redeemed or sold the sum of twenty-five cents.

Animals breaking into enclosures.

SEC. 6.—The Pound Keeper shall render to the Common Council quarterly, a true statement of all fees and moneys received by him for animals sold by him or redeemed, together with the name of the person paying the same and owning such animals. No Pound Keeper shall be interested directly or indirectly in the purchase of any animals sold by him as Pound Keeper, under a penalty of twenty-five dollars.

Pound Keepers to render account.

SEC. 7.—All moneys received by the Pound Keepers by vir-

Proceeds of
sales of animals.

tue of this ordinance for animals sold by him or them, after deducting therefrom the fees and charges for sustenance, shall be immediately deposited by him or them with the City Treasurer for the use of the owner of the beasts, in case he shall substantiate his claim thereto within two years from the time of sale, by affidavit of himself or some other person filed with the City Recorder. Upon said proof being made and filed in his office, the Recorder shall sign and deliver to said claimant an order on said City Treasurer for the funds so deposited with him. But the city shall not be liable to the Pound Keeper in any case for or on account of any fees or expenses due him on account of any animals which may be impounded.

As amended
Dec. 27, 1877.

Penalty for
breaking pound

SEC. 8.—If any person break open any pound in the city or remove any animal therefrom, or in any manner assist in doing so without the authority of the Pound Keeper, he shall on conviction thereof before any Justice of the Peace of said city, be punished by a fine not exceeding five dollars and costs of prosecution, or imprisonment in the county jail for the period of five days, or both, in the discretion of the court.

Penalty for
obstructing.

SEC. 9.—Each and every person who shall hinder, delay or obstruct any person or persons in driving to the pound any animal or animals liable to be impounded therein, shall, on conviction thereof before any Justice of the Peace of said city, for each and every such hindrance, delay or obstruction, be punished by a fine of not less than five dollars nor more than ten dollars and costs of prosecution, or by imprisonment in the county jail not exceeding five days, in the discretion of the court.

SEC. 10.—This ordinance shall take immediate effect.

OF OFFENCES AND THE PUNISHMENT THEREOF.

XXV.

AN ORDINANCE RELATIVE TO HOUSES OF ILL-FAME.

Passed July 7, 1859.

The Common Council of the city of Adrian do ordain as follows:

Houses of ill-
fame prohibited

SEC. 1.—Any person or persons who shall within the limits of the city of Adrian, keep a disorderly house or house of ill-fame, resorted to for the purpose of prostitution or lewdness, or who shall procure or suffer to come together at such house or place, persons of evil name and fame, or who shall commit or suffer to be committed therein any immoral indecent or lewd behavior or conduct, and any person or persons who shall resort

to or be at any such houses for any lewd or improper purposes, or who shall in any manner aid or assist in offending in the premises, shall on conviction before any Justice of the Peace of said city, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail for a period not exceeding ninety days, or both fine and imprisonment in the discretion of the court. As amended
Aug. 21, 1860.

SEC. 2.—It shall be the duty of the Marshal, policemen and constables of said city, to take notice of and report all infractions of this ordinance, that every person offending may be dealt with according to law, and it shall be competent for said Marshal or any of said policemen or constables to arrest the inmates of any such house as mentioned in the first section, and any other person or persons who may be found therein in violation of the provisions of this ordinance, or any person who may in any way have violated the same, and to bring said person or persons before any Justice of the Peace of said city, for examination, and to be dealt with according to the provisions of this ordinance. Penalties.

Duties of
Marshal and
policemen.

SEC. 3.—This ordinance shall take effect in ten days, and shall be published in the Daily Watchtower for three days previous thereto.

XXVI.

AN ORDINANCE RELATIVE TO NUISANCES AND THE ABATEMENT THEREOF.

Passed Dec. 14, 1882.

SEC. 1.—The city of Adrian ordains: that any pen, place or premises in which any swine shall be so kept as to be offensive, or an annoyance to any person or persons, are hereby severally defined and declared to be a nuisance, and any person who shall own, keep or use any such pen, place or premises, so as to be offensive, or an annoyance as aforesaid, shall, on conviction thereof, forfeit a sum not less than five dollars, and not exceeding twenty-five dollars, or be imprisoned in the county jail not exceeding twenty days. Hog Pens.

SEC. 2.—If any person shall suffer or permit any cellar, vault, private drain, pool, privy, sewer or grounds upon any premises belonging to or occupied by him, to become nauseous, foul or offensive, or injurious to the public health, he shall be subject to a fine of not less than ten dollars, and not exceeding twenty-five dollars, or to imprisonment in the county jail not exceeding twenty days. Vaults and
drains.

SEC. 3.—Any soap boiler, tallow chandler, or other person who shall keep, collect or use, or cause to be kept or used, any

Other offensive
substances.

stale, putrid or stinking fat, or grease or other putrid or stinking matter, and any tanner, dealer in hides and skins, or other person who shall bring to, or keep for a period of twenty-four hours in any part of the city, except when the same are to be manufactured, any undressed or uncured hides, skins of leather, or blubber, shall be subject to a penalty of ten dollars.

Unwholesome
premises.

SEC. 4.—Any owner or occupant of any tallow chandler's shop, soap factory, slaughter house, tannery, brewery, distillery, livery stable, barn or yard, who shall suffer the same to become nauseous, foul or offensive, shall be fined in a sum not less than five dollars and not exceeding twenty-five dollars.

Offensive dis-
charges from
buildings, &c.

SEC. 5.—If any distiller, tanner, brewer, soap boiler, tallow chandler, livery stable keeper, butcher, or other person, shall himself, or by another, discharge out of, or permit to flow from any still-house, work shop, manufactory, slaughter house, livery stable or other place, any foul or nauseous liquor or other substance of any kind whatsoever, into or upon any adjacent ground or lot, or into any street or alley within the limits of said city, he shall be punished by a fine not less than five dollars, and not exceeding fifty dollars, or imprisonment in the county jail not exceeding twenty days.

Penalty.

Dead animals
to be buried.

SEC. 6.—If any person shall suffer any animal belonging to him or in his charge which may die by disease or otherwise, to lie or be in or upon any street, alley or other grounds or place within said city public or private for the space of more than twelve hours (unless buried at least two feet under ground) after the same shall have died, he shall be subject to a fine not less than five dollars, and not exceeding twenty dollars and the costs of prosecution, or to imprisonment in the county jail not exceeding twenty days.

Penalty.

Nuisances
prohibited.

SEC. 7.—If any person shall permit or suffer any grounds, buildings or other premises within said city, owned or occupied by him, or of which he shall be the agent, having charge of the same, to become or be offensive, nauseous, hurtful or dangerous to the neighborhood or travelers, by reason of stagnant water, dead animals, or from any other cause, he shall be subject to a fine not less than five dollars, and not exceeding one hundred dollars and the costs of prosecution, or to imprisonment in the county jail not exceeding twenty days.

Penalty.

Duty of City
Marshal and
Street Commis-
sioner.

SEC. 8.—It shall be the duty of the City Marshal and Street Commissioner to ascertain and report to the Mayor, or in his absence the City Recorder, who are authorized to cause the abatement of all nuisances immediately, arising or existing within the limits of said city, and whenever it shall in any manner be made to appear that any such nuisance exists, the said Mayor or City Recorder or Common Council may direct the same to be

abated, and removed by such officer or officers, person or persons as may be designated, or when such nuisance shall be found on private property the said Common Council may order the owner or occupant thereof at his own expense to remove and abate the same within twenty-four hours, and if such owner or occupant shall neglect so to do he shall forfeit a sum not exceeding one hundred dollars.

SEC. 9.—If the owner or occupant shall not comply with such order of the Mayor or City Recorder or Common Council, as is provided for in the last preceding section, said Common Council may cause such nuisance to be removed, and all expenses incurred thereby shall be paid by such owner or occupant, or by such other person as shall have caused or permitted the same, and such expenses may be recovered by an action brought before any Justice of the Peace of said city. Expense of removal.

SEC. 10.—Whenever the Common Council shall deem it necessary for the preservation of the lives or health of the inhabitants, to enter any building in said city for the purpose of examining into and destroying, removing or preventing any nuisance, source of filth or cause of disease, and shall be refused such entry, any member of said Council may make complaint under oath to any Justice of the Peace of said city, stating the facts of the case so far as he has knowledge thereof. Proceedings to examine unwholesome places.

SEC. 11.—Such Justice may thereupon issue a warrant, directed to the City Marshal or any constable of said city, commanding him to take sufficient aid, and being accompanied by two or more members of said Council, between the hours of sunrise and sunset, to repair to the place where such nuisance, source of filth, or cause of disease may be, and the same destroy, remove or prevent under the direction of such members of the Common Council. Warrant for examination and abatement.

SEC. 12.—Any person offending against any of the provisions of this ordinance, may be prosecuted therefor before any Justice of the Peace of said city, in the name of the city of Adrian, and whenever any such person shall be convicted of any violation of any of the provisions of said ordinance, and a fine shall be inflicted on him therefor, in default of the payment of such fine and the costs of prosecution, such person may be imprisoned in the county jail for any period not exceeding twenty days. Prosecutions.

SEC. 13.—This ordinance shall take immediate effect.

XXVII.

AN ORDINANCE FOR THE PREVENTION OF BREACHES OF THE PEACE.

Passed May 21, 1857.

The Common Council of the city of Adrian do ordain as follows:

Persons lying
in wait.

SEC. 1.—Any person who may hereafter be found lurking, lying in wait or concealed in any house or other building, or in any yard or premises within the limits of the city of Adrian, with intent to do any mischief or to pilfer or to commit any crime or misdemeanor whatever, shall for every such offense, on conviction, be punished by a fine not exceeding ten dollars, or by imprisonment not exceeding thirty days.

Riots, disturbances and improper conduct.

SEC. 2.—Any person who shall make, aid, countenance or assist in making any riot, disturbance, or improper diversion, or who shall be guilty of any indecent or immoral or insulting conduct, language or behavior in the streets or elsewhere in said city, and all persons who shall collect in bodies or crowds in said city, for unlawful purposes, to the annoyance and disturbance of the citizens or travelers, shall for every such offense, be punished by a fine not less than one dollar and not exceeding fifty dollars, or by imprisonment for a period not less than ten days and not exceeding sixty days.

Fireworks and shooting.

SEC. 3.—No person shall (unless permission for that purpose be given by the Mayor by proclamation as hereinafter provided), fire or set off any squib, cracker, gunpowder or fireworks, or fire any gun or pistol in any part of said city, and any person or persons violating any of the provisions of this section shall be punished by a fine not less than one dollar, and not exceeding ten dollars, or by imprisonment for a period not less than one day and not exceeding ten days.

Firing cannon.

SEC. 4.—Every person who shall fire a cannon within the limits of said city (unless by permission of the Mayor or by proclamation by the Mayor as hereinafter provided), for every such offense shall be punished by a fine not less than five dollars and not exceeding ten dollars, or by imprisonment not exceeding ten days; *Provided*, that nothing in this or the preceding section shall be construed to prohibit any military company from firing any gun or cannon when authorized by the commanding officer or officers.

Permission by the Mayor.

SEC. 5.—The Mayor may by public proclamation, give permission to the citizens of said city to set off fire crackers, squibs, gunpowder and fireworks, and also to fire guns and cannon within said city on such day or days and in such place or places as shall be specified in such proclamation.

SEC. 6.—No person shall within any street of said city, ring any auction bell or any loud bell, for the purpose of collecting ^{Auction bells.} crowds of people together, and every person who shall violate any provision of this section shall be punished by fine not exceeding ten dollars, or by imprisonment for a period not exceeding ten days.

SEC. 7.—Any person who shall be found drunk within the limits of said city, shall for every such offense be punished by a fine not exceeding thirty dollars or by imprisonment for a period not exceeding thirty days. ^{Persons found drunk.}

SEC. 8.—The offenses mentioned in the preceding section, shall be heard and determined on complaint before any Justice of the Peace of said city.

SEC. 9.—The Marshal, constables or police officers of said city may arrest all such persons as are found committing any of the offences before mentioned, and bring them forthwith before any Justice of the Peace of said city, to be dealt with according to law. ^{Offenders to be arrested.}

SEC. 10.—This ordinance shall take effect on the first day of June, A. D. 1855, and shall be published one week in the Evening Expositor.

XXVIII.

AN ORDINANCE TO PREVENT PUBLIC BATHING IN THE CITY OF ADRIAN.

Passed Aug. 4, 1856.

The Common Council of the city of Adrian do ordain as follows:

SEC. 1.—No person or persons shall expose their naked bodies by bathing or otherwise within the limits of the city of Adrian, between the hours of four o'clock in the forenoon and nine o'clock in the afternoon, under a penalty not exceeding ten dollars, or imprisonment not exceeding ten days for each offense. ^{Bathing prohibited in certain cases.}

SEC. 2.—This ordinance shall be published two weeks in the Evening Expositor, and shall take effect on the twentieth day of August, A. D. 1856.

XXIX.

AN ORDINANCE IN RELATION TO SLAUGHTER HOUSES AND SLAUGHTERING ANIMALS.

Passed Nov 5, 1863.

The Common Council of the city of Adrian do ordain as follows:

SEC. 1.—No person shall keep a slaughter-house or slaughter
(16)

Keeping
slaughter
houses.

any neat cattle or sheep, or assist in doing so within the limits of said city of Adrian.

Penalty.

SEC. 2.—Any person offending against the provisions of this ordinance, shall on conviction thereof before any Justice of the Peace of said city, be punished by a fine not exceeding twenty-five dollars, or by imprisonment in the county jail not exceeding thirty days for each offence, or by both fine and imprisonment at the discretion of the court.

SEC. 3.—This ordinance shall be published once in the Adrian Daily Watchtower and Adrian Expositor, and take effect immediately thereafter.

XXX.

AN ORDINANCE RELATIVE TO THE PROTECTION OF SHADE TREES.

Passed May 7, 1866.

Protection of
trees.

SEC. 1.—The city of Adrian ordains: that no person shall hitch, tie or fasten any team, horse or other animal to any shade or ornamental tree, shrub or vine standing or growing in any street, lane, alley, public ground or other place or space within the city of Adrian, nor shall any person hitch, tie or fasten any team, horse or other animal to any post, box, guard or structure erected or placed around or by the side of any such tree, shrub or vine for the support or protection thereof. Nor shall any person, cut, mar, bruise or otherwise injure or destroy any tree, shrub or vine within said city.

Penalty.

SEC. 2.—If any person shall violate any of the provisions of this ordinance, he shall upon conviction thereof before any Justice of the Peace of said city, be punished by a fine of not less than ten dollars, nor more than one hundred dollars and costs of prosecution, or by imprisonment in the county jail for not less than two nor more than thirty days, or by both fine and imprisonment in the discretion of the court, and in case of the imposition of any such fine and costs, the court shall make a further sentence, that the offender be committed to the county jail and there to remain until such fine and costs shall be paid; *Provided*, that such imprisonment shall not exceed thirty days.

SEC. 3.—This ordinance shall take effect on the fifteenth day of May, 1866.

XXXI.

AN ORDINANCE TO PROHIBIT BOYS FROM INTRUDING INTO THE CARS, OR LOUNGING ABOUT THE RAILROAD STATION.

Passed Sept. 16, 1867.

The city of Adrian ordains as follows:

SEC. 1.—No person under the age of eighteen years, shall at

any time enter upon the cars at the railroad station in the city of Adrian, or into the depot building, or the premises of the railroad company, at the station, for the purpose of peddling, or shall be engaged in peddling anything without the permission of the station agent, nor shall any such person not being a bona fide traveler to or from some station or place beyond the limits of the city, ride upon or get upon any car or engine for amusement, without leave of the conductor or engineer, nor shall any such person lounge about said depot building or premises, or loiter or remain there after being requested to leave by the station agent, or other agent of said railroad company or any police officer of the city.

SEC. 2.—Any person violating any provision of this ordinance, shall on conviction thereof before any Justice of the Peace of said city, be fined in any sum not exceeding five dollars, or imprisoned in the county jail not exceeding ten days, in the discretion of the court. Boys and peddlers not to intrude.

SEC. 3.—This ordinance shall take effect immediately after its passage.

XXXII.

AN ORDINANCE CONCERNING HORSES AND TEAMS.

Passed June 20, 1864.

The Common Council of the city of Adrian do ordain as follows:

SEC. 1.—No person shall race horses, nor ride or drive any team, horse or other animal through the streets within the limits of the city of Adrian, at a speed or gait exceeding eight miles to the hour. Rapid driving prohibited.

SEC. 2.—No person shall leave any horse or horses or animals attached to any conveyance in any alley, street or lane of said city, without making such horse or animals fast with a good and sufficient halter, rope or chain, or without leaving them with some suitable person to prevent their running away. Teams to be fastened.

SEC. 3.—No person shall indecently exhibit any stud horse, or let any such horse to any mare or mares within said city, unless in some enclosed place out of the view and observance of the public. Indecent exhibitions of stallions.

SEC. 4.—Any person offending against any of the provisions of this ordinance, may be prosecuted therefor before any Justice of the Peace of said city, and on conviction thereof shall be punished for each offence, by a fine not exceeding twenty dollars, or by imprisonment in the county jail not exceeding twenty days, or by both fine and imprisonment at the discretion of the court. Penalties.

SEC. 5.—This ordinance shall take effect in five days after its passage and shall be published for three days previous to taking effect, in the Adrian Daily Expositor.

XXXIII.

AN ORDINANCE RELATIVE TO MAINTAINING QUIET AND GOOD ORDER.

Passed June 5, 1865.

SEC. 1.—The city of Adrian ordains: that no person shall either by himself or by his clerk, servant, agent or employee keep open his store, shop, saloon, bar, bar room, beer hall, restaurant, victualing house, eating house, billiard room, ball alley, grocery or other place of business, pleasure, resort or amusement, nor allow any customer, frequenters, or other person or persons, not being a clerk, servant or employee therein, to assemble, be, or remain therein on Sunday. Nor shall any person give or make, or be present at, or take part in, or in any manner engage in, or permit on any premises occupied by him or her, any public diversion, show, exhibition, amusement, theatrical representations, ball, dance, game, play or sport, within said city, on the first day of the week, called Sunday.

Saloons, &c., to
be closed on
Sunday.

Amended Dec.
1, 1875, and
July 1, 1878.

Provided, that bath houses and barber shops may be kept open for the convenience of customers until twelve o'clock at noon on Sunday mornings, but no later.

Nuisance,
when.

SEC. 2.—Every such place which shall at any time, after this ordinance shall take effect, be kept open in violation of section one of this ordinance, is hereby declared to be a public nuisance, and it shall be the duty of the City Marshal to close the same, and to arrest the person or persons so offending, and take him or them before some Justice of the Peace of said city, to be dealt with according to law.

City Marshal,
duty of, &c.

SEC. 3.—It shall be lawful for the City Marshal, with such aid and assistance as he may require, to visit any such public place as is hereby forbidden to be kept open on the first day of the week, at any hour of such day, and it shall be his duty to do so whenever he shall have reason to believe a violation of this ordinance is being committed, or on the direction of the Mayor or any two members of the Common Council, and to force an entrance therein in case he shall be debarred such entrance on demand, and to arrest any person or persons offending against the provisions of the first section of this ordinance as aforesaid.

Penalties for
violation sec. 1.

SEC. 4.—Any person violating the provisions of section one of this ordinance shall on conviction thereof before any Justice of the Peace of said city be punished by a fine of not less than ten dollars nor more than twenty dollars and cost of prosecution

for each offense, or by imprisonment in the county jail not less than five nor more than twenty days, or by both fine and imprisonment in the discretion of the court.

SEC. 5.—All saloons, restaurants, victualing houses, eating houses, bar and bar rooms, beer halls, billiard rooms, and all places of public resort, and all places kept, used or resorted to for the playing of any games or for engaging in any sports, or for any amusements (except as hereinafter provided) shall be closed at ten o'clock at night, and shall be kept closed thereafter until seven o'clock the following morning.

Saloons, &c., to be closed at ten o'clock at night

Every place in said city where beverages of any kind are sold, to be drank or used upon the premises, shall be deemed to be a saloon within the meaning of this ordinance.

Amendment of Nov. 29, 1865.

SEC. 6.—If any proprietor, keeper, occupant or person in charge of any saloon, restaurant, victualing house, eating house, bar, bar room, beer hall, billiard room, or place of public resort, or place kept, used, or resorted to, for the playing of any games, or engaging in any sports or for any amusement, shall himself or by his clerk, servant, agent, or employee, or if any clerk, servant, agent or employee of any such proprietor, keeper or occupant shall keep open any such saloon, restaurant, victualing house, eating house, bar, bar room or place of resort, beer hall, billiard room, or place resorted to for the playing of any games, or engaging in any sports or amusements above mentioned, contrary to the provisions of section five of this ordinance; or if any such proprietor, keeper, person in charge or occupant shall, or if any clerk, servant, agent, or employee of any such proprietor, keeper or occupant shall allow customers, frequenters or other persons resorting to any saloon, restaurant or other place mentioned in this or the last preceding section of this ordinance, to remain or be therein between the hours of ten o'clock at night, and seven of the o'clock of the following morning, then and in such case every such proprietor, keeper, person in charge, occupant, clerk, servant, agent or employee, so offending against the provisions of this or the last preceding section of this ordinance, shall on conviction thereof before any Justice of the Peace of said city, be punished for each offense by a fine not less than five dollars nor more than twenty dollars and costs of prosecution, or by imprisonment in the county jail not less than three nor more than twenty days, or by both fine and imprisonment in the discretion of the court.

Penalties for violation of sec. 5.

Amended Sept. 12, 1881.

SEC. 7.—It shall be the duty of the City Marshal, and every policeman and constable of said city, who shall find any person violating any of the provisions of section five and six of this ordinance, to arrest the person or persons so offending at once, and lodge him or them in the county jail until such time as such

Duty of Marshal constables and policemen.

person or persons so offending can be taken before a Justice of the Peace of said city to be dealt with as required by this ordinance.

Imprisonment
for fines and
costs.

SEC. 8.—In the imposition of any fine and costs of prosecution under the provisions of this ordinance the court may make a further sentence that the offender be imprisoned in the county jail until he shall pay such fine and costs, provided such imprisonment shall not exceed thirty days.

Effect of this
ordinance with
respect to sale
of spirituous
liquors.

SEC. 9.—This ordinance shall not be construed as in any manner authorizing or permitting the sale or disposing of any alcoholic, fermented or intoxicating liquors, nor as prohibiting the sale by druggists of medicines and physicians' prescriptions on Sunday, nor shall this ordinance apply to hotels (excepting as to the bar or bar rooms therein) that shall be licensed as such, nor to public lectures, meetings and musical concerts at which the public at large are accustomed to attend, nor to public shows and exhibitions that shall be duly licensed by authority of the Common Council.

Ordinance
repealed.

SEC. 10.—An ordinance entitled "An ordinance in relation to saloons and other places of public resort," passed and approved June 8, 1857, is hereby repealed.

Eating houses
at the R. R.
depot.

SEC. 11.—Any person keeping any eating house or hotel upon the premises of the railroad company, at the railroad station in this city, shall be so far exempt from the operation of this ordinance that it shall not be held to be a violation thereof for him to keep open such eating house or hotel on Sunday so far as may be necessary to accommodate those who may be traveling on such railroad, nor shall it be held to be a violation thereof for him to keep open the same after eleven o'clock at night, so far as may be necessary for the same purpose, provided he shall not at such times sell or give away or allow to be drank upon his premises any spirituous or intoxicating liquor.

Livery stable
keepers ex-
cepted.
Added June
27, 1865.

SEC. 12.—Livery stables and livery stable keepers are hereby excepted from the provisions of this ordinance.

XXXIV.

AN ORDINANCE RELATIVE TO DISTURBANCES AT PLACES OF PUBLIC WORSHIP.

Passed April 15, 1872.

Churches, loit-
ering about
prohibited.

SEC. 1.—The city of Adrian ordains: that all persons are hereby prohibited from congregating, assembling, remaining or loitering about any church, building, or other place of public worship or upon the sidewalks or the streets in front of or adjacent to any such church, building or place of worship, or at the doors or entrances, or in any ante-room or vestibule of any such church

edifice, or place of public worship, or during the time when the congregation or people attending such meeting are going to, entering, leaving or returning from such church, building or place of meeting for worship.

SEC. 2.—In case any person shall be found violating any of the provisions of this ordinance, it shall be the duty of every sheriff, marshal, constable, policeman or other public officers of said city, to arrest or cause and order the arrest of every such offender upon sight, with or without process, and to take such offender forthwith before a Justice of the Peace, of said city, to be dealt with as herein provided, unless such arrest shall be made in the night, or on the Sabbath, in which case the offender shall be taken to the city watch-house, and there detained until the first week-day following such arrest, and then taken before such Justice.

Persons violating to be arrested.

As amended June 7, 1875.

SEC. 3.—Every person convicted of a violation of this ordinance shall be punished by a fine not exceeding ten dollars and costs of prosecution, or by imprisonment in the county jail not more than five days and costs of prosecution, or by both such fine and imprisonment in the discretion of the court, and the court shall make a further order that the offender be committed to prison for non-payment of such fine and costs, there to remain not more than ten days unless such fine and costs be sooner paid.

Penalty.

SEC. 4.—This ordinance shall take immediate effect.

OF THE PREVENTION AND EXTINGUISHMENT OF FIRES.

XXXV.

AN ORDINANCE TO ESTABLISH FIRE LIMITS AND TO REGULATE THE CONSTRUCTION OF BUILDINGS THEREIN, AND FOR THE PREVENTION OF FIRES.

Passed Jan. 2, 1865.

The Common Council of the city of Adrian do ordain:

SEC. 1.—The following boundaries shall constitute and be known as the fire limits of the city of Adrian, viz: Beginning in the center of Maumee street twenty rods west of the west line of Winter street, running thence southerly parallel with the west line of Winter street to the north line of Church street, thence easterly on the north line of Church street to a point five rods east of the east line of Broad street, thence northerly par-

Fire limits designated.

allel with the east line of Broad street to the north line of Toledo street, thence westerly on a line parallel with the north line of Toledo street to a point twenty rods west of the west line of Winter street, thence southerly parallel with the west line of Winter street to the center of Maumee street at the place of beginning.

Manner of constructing buildings in limits.

SEC. 2.—No person shall erect or place or cause to be erected or placed any building or part of any building within said fire limits except as provided in section three of this ordinance, unless the same shall be constructed of stone, brick or iron with roofs covered with slate, tile, metal or gravel, and cornices of stone, brick, metal or wood, and if of wood the same shall be painted with three coats of paint and heavily sanded, the gutters shall be of metal, and in all buildings erected of stone, brick or iron, in blocks of two or more buildings within said fire limits, there shall be erected partition walls of stone or brick at least eight inches in thickness where such building is over two stories in height, and not less than eight inches in thickness where such building is two stories or less in height; and all party or side walls shall extend at least thirty-six inches above the roof.

Small outbuildings.

SEC. 3.—Small wooden outbuildings not exceeding ten feet in length by eight feet in width and ten feet in height may be erected within said fire limits, provided that no more than one such building shall be erected upon one lot, or one subdivision of a lot, nor shall any such building be erected or placed upon or adjoining to the line of any street, and the Common Council may by resolution authorize the erection of wooden buildings within said fire limits under such restrictions and upon such conditions as they may prescribe, provided that the erection of such wooden buildings will not increase the risk of any building adjacent thereto.

Repairing and renovating.

SEC. 4.—No person shall within said fire limits repair any wooden building which has been partially destroyed by fire or otherwise, nor elevate from the ground, or in any way increase the height of any wooden building or any part thereof, nor remove any wooden building from one lot to another, nor remove the same or any part thereof to any part of the same lot different from the place whereon the same now stands, without being first authorized to do so by resolution of the Common Council.

Penalty.

SEC. 5.—For each and every week during which any building erected, placed or removed or repaired, elevated or made higher, contrary to the provisions of this ordinance shall be allowed to remain, the owner and every part owner of such building may be complained of and punished as for a distinct offense as hereinafter provided.

SEC. 6.—No person shall within said fire limits erect any

building to be used as a bakery, nor repair or fit up for such use any existing building, nor use or occupy as a bakery any such building that may hereafter be so erected, fitted up or repaired, unless the outer walls of such building shall be constructed of brick or stone, and the roof thereof, of tile or metal, and the doors and windows thereof protected by iron shutters. Bakeries within limits.

SEC. 7.—No person shall within said fire limits, place, store, or pile any wood, lumber, timber, or other easily combustible material, upon or within any open space and there keep or hold the same or any part thereof for sale without permission by resolution of the Common Council; and for every week during which any such lumber, wood, timber or other easily combustible material so placed, piled or stored contrary to the provisions of this section shall be allowed to remain, the owner and every part owner thereof may be prosecuted and punished as for a distinct offense as hereinafter provided. Storing combustibles in limits.

SEC. 8.—No person shall store gunpowder in larger quantities than ten pounds in any building within said fire limits. Gunpowder.

No person shall store carbon or kerosene oil or illuminating oil of any kind in larger quantities than one hundred gallons in any building or upon any lot or premises within the fire limits of said city. Oil. Amendment Nov. 6, 1871.

SEC. 9.—No person shall have, put or keep any straw, or wood shavings in stack or pile within said fire limits, without having the same securely enclosed so as to protect them from flying sparks of fire. Straw and shavings.

SEC. 10.—No lighted candle or lamp shall be used in any stable, building or other place within said fire limits where hay, straw, rushes, wood shavings or gunpowder shall be stored or lodged unless the same is well secured in a lantern. Lanterns, when to be used.

SEC. 11.—Every chimney hereafter erected within the fire limits shall be so constructed as to admit of being scraped, brushed or cleaned. Chimneys.

SEC. 12.—No pipe of any stove, chimney or fire-place shall be put up or used within said fire limits unless the same be conducted into a chimney of stone or brick, and in all cases where a stove pipe passes through the wood work of a building it shall be separated from such wood work at least two inches by metal or other incombustible material. Stove pipes, &c.

SEC. 13.—No ashes shall be kept or deposited in any place within said fire limits unless the same be kept or deposited in a close iron or earthen vessel, or in a brick or stone ash house thoroughly secured. Ashes.

SEC. 14.—No person shall kindle any fire nor furnish the material for any fire to be made or kindled in a street, alley or vacant place within said fire limits without permission of the Bonfires in streets, &c.

Mayor, unless the same be kindled for the purpose of some necessary mechanical labor, or for the purpose of boiling tar, pitch or oil, to be used in the construction or repair of buildings or sidewalks.

Penalties.

SEC. 15.—Any violation of, or failure to comply with the provisions or requirements of this ordinance, shall be punished by a fine not exceeding fifty dollars and costs, to be recovered before any Justice of the Peace of said city; and in the imposition of any such fine and costs the court may make a further sentence that the offender be imprisoned in the county jail of Lenawee county until such fine and costs shall be paid, provided that the term of such imprisonment shall not exceed the period of thirty days.

SEC. 16.—This ordinance shall be published three times in the Adrian Daily Expositor and in the Adrian Daily Watch-tower, and shall take effect immediately thereafter.

XXXVI.

AN ORDINANCE IN RELATION TO THE BUILDING OF FIRES UPON THE STREETS, ALLEYS AND LOTS WITHIN THE CITY OF ADRIAN.

Passed Oct. 30, 1871.

The Common Council of the city of Adrian do ordain as follows:

Not to build fire in city.

SEC. 1.—No person shall build or make, or cause to be built or made any fire upon any street, lane or alley, or upon any lot or premises, except inside of the buildings thereon within the limits of said city of Adrian without permission first obtained from the City Marshal.

Penalty.

SEC. 2.—Any person violating the provisions of this ordinance shall on conviction thereof before any Justice of the Peace of said city, be punished by a fine not exceeding twenty-five dollars, or by imprisonment not exceeding thirty days for each offense, or by both fine and imprisonment at the discretion of the court.

SEC. 3.—This ordinance shall take immediate effect.

XXXVII.

AN ORDINANCE TO PROHIBIT THE RUNNING OF FIRE ENGINES AND OTHER FIRE APPARATUS UPON THE SIDEWALK.

Passed June 3, 1867.

The city of Adrian ordains as follows:

SEC. 1.—No fire company, or person or persons shall, at any

time, run or drive any fire engine, hose cart, or hook and ladder truck upon any sidewalk within said city. Fire engines not to be driven on sidewalks

SEC. 2.—Any person offending against the provisions of this ordinance shall be punished by a fine of not less than five dollars and not exceeding twenty-five dollars, in the discretion of the court, on conviction before any Justice of the Peace of said city. Penalty.

SEC. 3.—This ordinance shall take effect immediately.

XXXVIII.

AN ORDINANCE FOR THE PREVENTION AND EXTINGUISHMENT OF FIRES AND TO REORGANIZE THE FIRE DEPARTMENT OF THE CITY OF ADRIAN.

Passed Jan. 17, 1876.

SEC. 1.—The city of Adrian ordains: that the Fire Department of said city shall consist of a Chief Engineer, an Assistant Engineer, two Engineers of steamers, two Assistant Engineers of steamers, two Firemen, ten Pipemen, six Teamsters, one Hook and Ladder Company, to consist, when full, of five men, from whom the Council shall appoint a Foreman of said company, one Fire Extinguisher Company to consist of a Foreman, Assistant Foreman, Driver and Pipeman, and one Fire Warden, all of whom, except the Teamsters, shall be appointed annually by the Common Council on the first Monday in January, or in case of their failure to appoint on that day, then on some other day thereafter. Fire department, how constituted. Amendment July 2, 1877. Officers and appointment.

Every member of said Fire Department shall be subject to removal at the pleasure of the Common Council, and vacancies may be filled at any time by appointment of the Council, to continue, unless sooner removed, until the next regular election.

SEC. 2.—The Chief Engineer shall receive an annual salary of two hundred dollars, the Assistant Engineer of one hundred dollars, the engineers of the steamers two hundred dollars each, the Assistant Engineers of the steamers one hundred dollars each. The Firemen shall receive seventy-five dollars each, two of the Pipemen (to be designated by the Council as Foremen) shall receive sixty dollars, and the remaining eight Pipemen shall receive fifty dollars each. The Foreman of the Hook and Ladder Company sixty dollars, and the remainder of the Hook and Ladder men fifty dollars each per annum. Salaries of firemen. Amendment Sept. 27, 1881.

All teamsters shall each receive fifty dollars per month.

The Fire Warden's salary to be fixed by the Common Council.

SEC. 3.—The several officers and members of the Fire Department already appointed by the Common Council for the

Term for which appointed. present year, shall hold their places subject to the provisions of this ordinance until the next regular election or appointment, and all officers of the Department shall hold until their successors are appointed.

Chief Engineer, powers of. SEC. 4.—The Chief Engineer shall have command of the Fire Department. At any fire he shall have full power, control and command over all persons whomsoever, except the Mayor and the members of the Common Council. It shall be the duty of the Assistant Engineer to assist the Chief Engineer in the performance of his duties, and in his absence shall have command and perform the duties of Chief Engineer.

Chief Engineer, duties of. SEC. 5.—It shall be the duty of the Chief Engineer to direct at all fires, all such measures as he may deem advisable for the extinguishment of the said fires, and all the apparatus of the Department shall be subject to his direction and control; to see at all times that the fire engines and other apparatus as well as the engine houses, are in good order, and whenever the same shall need any ordinary repairs not exceeding five dollars, to cause the same to be done in a proper manner, unless otherwise directed by the Common Council. And when in the opinion of the Chief Engineer an expenditure for a greater sum is necessary, or for any purpose other than that above specified, he shall report the same to the Common Council, and shall, when the necessities of the Department demand it, make temporary appointments to fill vacancies, such appointments to continue and be valid until the next meeting of the Council thereafter, unless otherwise directed by resolutions of the Common Council. He shall also report in writing to the Common Council all accidents by fire that may happen in this city, with the causes thereof and the number and description of the building or buildings destroyed or injured, together with the name of the owners and occupants, as well as he can ascertain. He shall also at the annual election of the Chief Engineer and Assistant Engineer in each year, make to the Common Council a return of the condition of the apparatus in use and the place of the deposit of the same.

Fire Warden, powers and duties of

SEC. 6.—It shall be the duty of the Fire Warden during the months of October, November and December of each year, to visit at least once in each of said months, each store, dwelling, factory and shop in the several wards, and examine into the condition of the fire-places, hearths, furnaces, chimneys, stoves and pipes, ovens, boilers, kettles and all chemical apparatus which in his opinion may be dangerous in causing or producing fires, and also the places where ashes are deposited, and upon finding any of them to be in his opinion dangerous or defective, the Warden shall direct the owner or occupant to remove or amend

the same in such reasonable time as he may prescribe; and in case of neglect or refusal so to do, the party offending shall forfeit and pay a fine of ten dollars, and for every day after the time appointed aforesaid, to either remove or amend the same, the party offending shall forfeit and pay the further sum of five dollars, and upon conviction thereof before any Justice of the Peace of this city, be punished by a fine of not less than ten dollars or more than fifty dollars and costs of prosecution, or by imprisonment in the county jail not less than three or more thirty days, and it shall be the duty of such Warden at all times to visit and examine any place suspected by any resident of the city, and reported to him as dangerous in respect to fire, or when directed by the Common Council, and take such proceedings as above provided for. And any person hindering or obstructing the Fire Warden in the performance of the duties required by this section, shall forfeit and pay a fine not exceeding ten dollars or imprisonment in the county jail not exceeding thirty days. It shall also be the duty of the Fire Warden to attend all fires or alarms of fire that may occur, and upon such occasions to be subject to the orders of the Chief Engineer and Assistant Engineer of the Fire Department, and shall when required by such Chief or Assistant Engineer, or person in charge of said Fire Department, watch all fires during such time said Chief or Assistant Engineer shall designate, and if the Warden shall refuse or neglect to perform any of the duties aforesaid, shall for each offense forfeit and pay a fine of ten dollars.

Penalty for not repairing

Penalty for obstructing warden.

SEC. 7.—One of the Engineers of steamers, one of the Assistant Engineers of steamers, one Fireman, five Pipemen and two Teamsters shall be assigned by the Council or by the Chief Engineer, to each of the steam fire engines belonging to the city, and shall have charge of the same under the direction of the Chief Engineer; and the self-acting Extinguisher company and the Hook and Ladder company shall in like manner have charge of the hooks, ladders, extinguishers and other apparatus provided for the same. It shall be the duty of said firemen as often as a fire shall break out in said city, to repair immediately to their respective apparatus and convey them to or near the place where such fire shall happen, and then in conformity with the direction given them by the Chief Engineer or the person occupying that position, in the absence of the Chief Engineer, work and manage the fire engines, hose and other apparatus with all their skill and ability, and when the fire is extinguished shall not move therefrom but by the direction of the Chief Engineer or person in command, which direction being obtained, they shall return with their respective apparatus to their several places of deposit. And the Teamsters, under the direction of the Engineer, as soon as

Who to have charge of fire apparatus.

Duty of firemen in case of fire.

may be thereafter, shall wash and clean the engine and hose. And for the more effectual perfecting the firemen in their duty, when the season of the year shall permit, the said firemen shall from time to time, when required by the Chief Engineer, meet for the purpose of working their apparatus and exercising their men. There shall be annually in the fall of each year, a general public review of the Fire Department, engines and other apparatus at such times and places as shall be appointed by the Chief Engineer. And any fireman who shall neglect said duty shall forfeit and pay a fine of one dollar, and if he shall neglect any duty as aforesaid, or leave his engine or apparatus while at any fire, without permission, or not perform his duty on such occasions, he shall for every default forfeit and pay a fine not exceeding twenty-five dollars, and shall also be expelled from the Fire Department.

Penalty for neglect.

SEC. 8.—Every person who at a fire shall refuse to obey any order or direction given him by any person authorized to order or direct, or who shall resist or impede any officer or other person in the discharge of his duty, shall in the absence of sufficient excuse be punished by a fine not exceeding fifty dollars; and any member of the Common Council, fire warden, marshal, constable or other public officer may arrest and detain in custody any person so offending, until such fire is extinguished. The person so offending shall forthwith be prosecuted before any Justice of the Peace of said city.

Penalty for refusal to obey at fires.

SEC. 9.—No fireman having charge thereof, shall permit their hose to remain off the reel after eight o'clock at night when not in use.

SEC. 10.—No person other than the members of the Common Council, or members of the Fire Department, or unless authorized by either, shall at any time, under any pretense, enter any place of deposit for the fire apparatus under a penalty of five dollars.

Strangers not to enter engine houses without permission.

SEC. 11.—If any person shall wilfully injure in any manner, any hose, engine, hook and ladder, or other fire apparatus, or buildings containing the same, belonging to the city, the offender shall for every such offense forfeit and pay a fine of twenty dollars, besides being liable to an action for the recovery of the damage done.

Penalty for wilfully disfiguring fire apparatus.

SEC. 12.—No person shall sleep or remain at night in any fire engine house or in any hook and ladder house in said city, unless specially designated so to do by the Mayor, Common Council or Chief Engineer. No person shall play at cards, tippie, riot or dance therein or in any manner make any noise or disturbance of in or about any such house. No person shall disturb any meetings of a fire company, or make any engine house or hook and

Sleeping and disorderly conduct in engine houses, and disturbance of firemen prohibited.

ladder house a place of resort for indecent, lascivious, immoral or illegal purposes. And any person offending against the provisions of this section the Chief Engineer, Assistant Engineer and Fireman of each company shall report to the Common Council with the name of the person or persons so offending.

SEC. 13.—The Marshal, Deputy Marshal and constables of the city shall repair immediately on the alarm of fire, with their staff of officers to the place where the fire may be, and report themselves to any member of the Common Council, for the preservation of the public peace, and the removal of all idle and suspected persons, or the preservation of property in the vicinity of the fire; and if the Marshal, Deputy Marshal or any constable shall neglect to comply with the provisions of this section, shall pay a fine not exceeding fifty dollars.

Marshal and constables, duties at fires.

SEC. 14.—The hook and ladder men shall, under the direction of the Chief Engineer and two members of the Common Council present, or in the absence of the Chief Engineer, then under the direction of the Assistant Engineer and two members of the Common Council; or in the absence of the Chief and Assistant Engineers, then under the direction of three members of the Common Council if so many be present, cut down and remove any building, section or fence, for the purpose of checking the progress of the fire.

Cutting down and removing buildings.

SEC. 15.—If any person having charge of a fire engine, or other apparatus, shall suffer or permit the same to be applied to private use, or to be removed beyond the corporate limits of the city, except as hereinafter provided, he shall forfeit and pay a fine not exceeding fifty dollars, together with the damages occasioned thereto; *Provided* that in case of actual suffering of some neighboring city or village by fire, the acting Chief Engineer may, in his discretion, by and with the concurrence and consent of the Mayor or chairman of the Committee on the Fire Department, permit one steamer and apparatus to be removed to such city or village to be used at such fire. And *provided further*, that in case of a fire in the immediate vicinity of the city, the engines may, by the direction of the Chief Engineer, be taken beyond the limits of the city.

Fire apparatus not to be removed beyond city limits except with special permission.

SEC. 16.—Whenever a fire shall occur in the night-time, and shall have been extinguished, the Marshal or in his absence the Chief Engineer shall employ some suitable person or persons to keep watch at the place where such fire shall have occurred, till morning.

Watch at fires.

SEC. 17.—Any person may be prosecuted for any offense, fine or penalty under this ordinance, before any Justice of the Peace of this city, by complaint of the City Attorney, or any member of the Common Council, and on default of payment of any fines,

Punishment of offenders.

penalty or forfeiture in case of conviction, the person convicted shall be punished by imprisonment in the county jail for any period in the discretion of the court not exceeding thirty days.

Chief Engineer
to make rules.

SEC. 18.—The Chief Engineer and Committee on Fire Department are hereby empowered and authorized to make, from time to time, such rules and regulations for the government of the Department as are not embraced in, and not inconsistent with any ordinance of the city, as they may deem necessary to promote its 'greatest efficiency, subject to repeal or modification by the Common Council.

No persons
shall intrude
upon any steam
engine, &c.

SEC. 19.—No person shall intrude or ride or get upon any steam engine, hose cart or hook and ladder truck, or self-acting fire extinguisher of said city, at or going to, or returning from a fire, or upon any other occasion, without permission of the Chief Engineer.

Penalty.

SEC. 20.—Any person violating the preceding section of this ordinance shall, on conviction before any Justice of the Peace of the city, be punished by a fine of five dollars or by imprisonment not exceeding five days.

SEC. 21.—No person shall ring the fire alarm bell of said city except in case of alarm of fire.

Penalty for
ringing fire
alarm bell ex-
cept in case of
alarm of fire.

SEC. 22.—If any person shall at any time, ring or cause to be rung, the said fire alarm bell, unless he knows or has probable cause to believe that a fire exists, which calls for the efforts of the Fire Department to overcome, he shall be punished by a fine of ten dollars for the first offense, or imprisonment in the county jail not exceeding fifteen days; and for any subsequent offense twenty dollars or imprisonment in the county jail not exceeding thirty days, on conviction before any Justice of the Peace of said city.

SEC. 23.—All ordinances heretofore in force regulating the Fire Department of this city are hereby repealed.

SEC. 24.—This ordinance shall take effect immediately.

MISCELLANEOUS.

XXXIX.

AN ORDINANCE RELATIVE TO POSTING BILLS.

Passed July 25, 1864.

The Common Council of the city of Adrian do ordain as follows:

Posting bills.

SEC. 1.—No person shall put up or post any handbill or advertisement or notice whatsoever upon any of the bridges within the limits of the city of Adrian, nor paint or letter any sign or

advertisement thereon, and any person violating the provisions of this section, shall on conviction thereof before any Justice of the Peace of said city, be punished by a fine not exceeding five dollars and the costs of prosecution, or by imprisonment in the county jail not exceeding five days.

SEC. 2.—This ordinance shall be published twice in the Adrian Daily Expositor, and shall take effect immediately after such publication.

XL.

AN ORDINANCE TO PERMIT CERTAIN PERSONS THEREIN NAMED, TO LIGHT THE CITY OF ADRIAN, LENAWEE COUNTY, MICHIGAN, WITH GAS.

Passed June 18, 1855.

The Common Council and Freemen of the city of Adrian do ordain as follows:

SEC. 1.—Benajah Barker, Harvey B. Platt, Geo. H. Wyman and Lyman C. Thayer, their associates, successors and associates as individuals or as a body corporate under such name as they may hereafter adopt, be and they are hereby authorized, and the exclusive privilege is hereby granted to the said Barker, Platt, Wyman and Thayer their associates, successors and assigns for the term of ten years from the passage of this ordinance to use the streets, lanes, alleys and public grounds of said city of Adrian including any territory that may hereinafter be annexed to said city, for the purpose of laying down pipe for conveying gas for supplying said city and the inhabitants thereof with gas-light. Provided that said Barker, Platt, Wyman and Thayer, their associates, successors and assigns shall give the Street Commissioner of said city one day's notice previous to the opening of any street, lane, alley or public grounds for the purpose aforesaid, and shall not necessarily obstruct the passage of said street, alley or public grounds, and shall, within a reasonable time repair the same.

Grant of
privilege to
Gas co.

Streets, &c.,
how to be
used.

SEC. 2.—The privileges hereby granted, are upon the express conditions that the said Barker, Platt, Wyman and Thayer, their associates, successors and assigns shall commence within one year and expend within eighteen months from the first day of July, A. D. 1855, in the said city of Adrian, not less than five thousand dollars for the construction of said gas works, and shall complete within three years from said first day of July, A. D. 1855, the works and apparatus for the manufacture of gas from coal or any other material of which gas now is or hereinafter may be made, and shall furnish gas to the city and to the inhabitants thereof at a price not exceeding three dollars and

Conditions of
grant.

fifty cents (\$3.50) for one thousand cubic feet, said city to be at the expense of furnishing lamp posts, lamps, metres and other necessary fittings for public lamps. *Provided*, that nothing contained in this ordinance shall be construed as an obligation on the part of the Common Council to use said gas or pay for the use thereof except by the resolutions or ordinances of the Common Council hereafter adopted or ordained.

SEC. 3.—This ordinance shall be published by advertising the same in the Evening Expositor of this city for one week, and shall take effect on the first day of July, A. D. 1855.

XLI.

AN ORDINANCE RELATIVE TO LAMPS, LAMP-POSTS AND GAS FIXTURES IN THE STREETS AND SIDEWALKS OF THE CITY OF ADRIAN.

Passed Nov. 29, 1859.

The Common Council of the city of Adrian ordains:

Interference
with lamp,
posts, and gas
pipes pro-
hibited.

SEC. 1.—That it shall not be lawful for any person or persons to light or extinguish the lights of any of the lamps of said city, or open or damage or in any manner meddle or interfere with the said lights or lamps or lamp posts, or cover up or remove or injure or in any way interfere with the caps or tubes to the service cocks in the streets or sidewalks of said city, unless authorized by the Gas Company or the Common Council so to do, and any person or persons violating any of the provisions of this ordinance shall forfeit and pay the penalty of ten dollars; but the provisions of this ordinance in respect to said caps and tubes shall not apply to any person or persons engaged in making, repairing, improving or grading streets or sidewalks on the behalf or by order of the said Council.

How
punished.

SEC. 2.—Any person violating this ordinance may be prosecuted before any Justice of the Peace of said city by complaint of the City Attorney, Marshal or any member of the Common Council, and on default of payment of any penalty in case of conviction, the person convicted shall be punished by imprisonment in the county jail for any period not to exceed ten days.

SEC. 3.—This ordinance shall take effect and be in force on the publication thereof once in the Adrian Daily Watchtower.

XLII.

AN ORDINANCE TO REGULATE THE LAYING OF GAS PIPES IN THE STREETS AND PUBLIC GROUNDS IN THE CITY.

Passed August 21, 1865.

SEC. 1.—The city of Adrian ordains: that no person shall hereafter lay or put down in any street, lane, alley, public ground

or public park in said city, any gas pipe or other pipe or device used or to be used for the purpose of conducting or conveying inflammable gas, without permission therefor first granted by the Common Council; nor shall any person remove any part of the pavement or flagging in any street, or open, dig into or make any excavation in the earth or soil in any street, lane, alley, public ground or public park in said city, for the purpose or with the intent of laying or putting down therein any gas pipe or other pipe or device used or to be used for conveying or conducting any inflammable gas without permission therefor first granted by the Common Council.

Laying of gas pipe, permission to be obtained.

SEC. 2.—It shall be the duty of the City Marshal and of every policeman and constable of said city to arrest, either with or without process, any person found violating any of the provisions of this ordinance, and to take such person before one of the Justices of the Peace of said city to be dealt with as provided by law.

Arrests for violation.

SEC. 3.—If any person shall violate any of the provisions of this ordinance he shall on conviction thereof before any Justice of the Peace of said city, be punished by a fine of not less than fifty dollars and not exceeding one hundred dollars and costs of prosecution, or by imprisonment in the county jail not less than twenty days nor more than sixty days, or by both fine and imprisonment in the discretion of the court, and in the imposition of any such fine and costs as aforesaid the court shall make a further sentence that the offender be imprisoned in the jail of Lenawee County until the payment of such fine and costs, provided that the term of such imprisonment shall not exceed sixty days.

Penalties.

SEC. 4.—This ordinance shall take effect on the twenty-ninth day of August, 1865.

XLIII.

AN ORDINANCE RELATIVE TO A GAS INSPECTOR AND HIS DUTIES.

Passed June 1, 1868.

SEC. 1.—The city of Adrian ordains: that an officer to be designated City Gas Inspector shall be appointed each year by the Common Council, who shall hold his office from the time of his appointment until the first Monday of May next thereafter, unless sooner removed by the Common Council.

Gas inspector.

SEC. 2.—Whenever any dispute or controversy shall arise between the Adrian Gas Light Company, and any gas consumer or person using or consuming gas manufactured or supplied by said company, in relation to the bills or charges of said company for gas supplied or to be supplied by them, or for any other

Controversies to be referred to.

cause relating to the supplying or withholding gas by said company from any gas consumer or person desiring to receive or to use gas, such gas consumer or person desiring to receive or use gas, may make complaint to the City Gas Inspector, setting forth the cause of dispute or controversy, and the matters complained of, which complaint whenever so required by the City Gas Inspector, shall be in writing.

Complaints
and notice.

SEC. 3.—Whenever complaint shall be made to the City Gas Inspector, as provided in section two, the Inspector shall appoint a time and place, when and where he will hear the parties in relation to the matter in difference or dispute, which time shall be as soon as practicable after the making of the complaint, and the place of hearing shall be such as under all the circumstances shall, in the opinion of the Inspector, be most convenient to the parties and the Inspector; and, thereupon, notice shall be given in such manner as the Inspector shall direct, to the Secretary of said company, or to the Superintendent, or person having the principal charge of the business or works of said Gas Light Company, of the time and place appointed by said Inspector for hearing the matter in dispute.

Hearing of
cause.

SEC. 4.—At the time and place appointed for the hearing mentioned in the preceding section, or at such other time as the hearing may be adjourned to, the City Gas Inspector shall hear the parties in relation to the matter in difference or in dispute, and may examine the complainant and such other witnesses as either party may offer, upon oath or otherwise, touching the question in dispute, and shall examine into all the facts relating to the controversy, and shall thereupon forthwith make and render his decision and award, in relation to the matters in dispute and so referred to him as aforesaid.

Record
to be kept.

SEC. 5.—It shall be the duty of the City Gas Inspector to keep a record or minute book, in which he shall keep a brief memorandum, or record, showing the names of all persons making complaint to him under the provisions of this ordinance, the date and substance of the complaint, and a brief memorandum of the decision rendered by him thereon, and the date thereof, and the amount of fees paid to him in each case, and by whom paid, which record shall be the property of the city of Adrian, and shall be at all times open to the inspection of its officers, and of all other persons interested in any controversy submitted to said Inspector.

Written decisions,
when to
be given.

SEC. 6.—It shall be the duty of the City Gas Inspector, whenever so required by any party to any controversy submitted to him, to give to such party a copy, in writing, and under his hand, of the decisions rendered by him upon such controversy or cause of dispute; *Provided*, the party or person requiring such

copy, shall first pay to the Inspector the fees herein provided for making such copy.

SEC. 7.—It shall be the duty of the City Gas Inspector, whenever and as often as required by the Common Council, to examine and inspect the works, pipes and meters of said Gas Light Company, and to test the quality, purity and illuminating power of the gas manufactured and supplied by them, and to report thereon to said Common Council. And to examine into and report to said Common Council all abuses whether committed by said company in their business of manufacturing and supplying gas to said city, and to the citizens using and consuming the same, or whether committed by gas consumers in relation to their use of gas and of the fixtures and meters belonging to said company.

And said Inspector shall also perform such other duties as may be required of him from time to time by said Common Council.

SEC. 8.—Every person making complaint to said City Gas Inspector, under this ordinance, or requiring his services in relation to any matter or cause of complaint against said company, shall pay to said Inspector a fee of twenty-five cents before said Inspector shall be required to act in the matter.

And every party requiring a copy of the decision of said Inspector in relation to any controversy submitted to him, shall pay to the Inspector a fee of twenty-five cents therefor, before said Inspector shall be required to make and deliver such copy.

Said Inspector shall report to the Common Council on the first Monday in each month, the amount of all fees received by him under the provisions of this ordinance, since his last preceding report, and the names of the persons paying the same, and shall on the first Monday in May in each year make a like report on oath of the amount of all fees received by him during the year under the provisions of this ordinance.

Said Inspector shall also receive annually from the city treasury for his services a sum which, together with the fees received during the year under the provisions of this ordinance, shall amount to the sum of one hundred and fifty dollars.

SEC. 9.—This ordinance shall take effect on the fourth day of June, 1868.

XLIV.

AN ORDINANCE RELATIVE TO MAUMEE STREET BRIDGE.

Passed Sept. 30, 1868.

SEC. 1.—The city of Adrian ordains: that no person or persons shall ride or drive any horse, mule, ox, team, wagon, carriage or other vehicle, over or across the bridge over the South Branch of the river Raisin, at the point where said river crosses

Maumee street in the city of Adrian, at any rate of speed faster than a walk.

Penalties, &c.

SEC. 2.—If any person shall violate this ordinance, such person shall on conviction thereof before any Justice of the Peace of said city, be punished by a fine of not less than five dollars nor more than ten dollars and costs of prosecution, or by imprisonment in the county jail for a period of not less than three days, nor more than ten days, or by both fine and imprisonment in the discretion of the court.

And in case of the imposition of any such fine, the court shall make a further sentence that the offender be imprisoned in said jail until such fine and costs shall be paid, provided that such imprisonment shall not exceed fifteen days.

SEC. 3.—This ordinance shall take effect on the first day of October, 1868.

XLV.

AN ORDINANCE RELATIVE TO THE IMPRISONMENT OF OFFENDERS.

Passed May 24, 1869.

SEC. 1.—The city of Adrian ordains: that in all cases where, by the provisions of the charter or any ordinance of the city of Adrian, it is or may be competent to imprison any person previous to or while awaiting trial for the violation of any ordinance or by-law of the city, it shall in all cases where such imprisonment shall be necessary, be the duty of the officer or person having the custody of such offender, to imprison and detain him in the city watch-house, or in such other place as the Common Council shall by resolution prescribe and appoint for that purpose, unless in the opinion of the officer arresting or having the custody of such offender, it shall be unsafe to detain or imprison the offender in such watch-house or other place provided by the Common Council.

Duty of officers making arrest.

SEC. 2.—In cases where, in the opinion of the officer making such arrest, it shall be unsafe to imprison or detain such offenders in the city watch-house or such other place as the said Common Council shall designate as provided in section one, the offender may be imprisoned and detained in the county jail, as heretofore provided by the ordinances and charter of said city.

May imprison in county jail.

SEC. 3.—The lower or first story of the building situated in the third ward of said city, in which the Common Council now holds its meetings, and shall be and the same is hereby designated and declared to be the city watch-house of said city.

City watch-house.

SEC. 4.—The City Marshal shall be the keeper of the city watch-house, and it shall be his duty to have the charge and safe

keeping of all persons who may be imprisoned or detained therein, and he shall provide sustenance for and otherwise have charge of and keep the persons who shall be from time to time detained therein as in this ordinance directed, or as the Common Council shall from time to time by order or resolution direct.

SEC. 5.—This ordinance shall take immediate effect.

XLVI.

AN ORDINANCE IN RELATION TO THE DUTIES AND COMPENSATION OF CITY WATCHMEN.

Passed May 9, 1870.

SEC. 1.—The city of Adrian ordains: that the city watch appointed by the Common Council, shall act as policemen in said city, and their powers and authority shall be the same as the other policemen of said city, and they shall also give bond to the city in the same sum and conditions for the same purpose as other policemen of said city.

SEC. 2.—The city watchmen shall at the time of making their reports to the Common Council, as required by section 13, of an ordinance entitled "An ordinance to provide for a city police," passed May 1, 1865, pay to the City Treasurer all sums that they may have severally received as fees for arrests made or service of any legal process.

SEC. 3.—There shall be paid to the said city watchmen the sum of fifty dollars each per month in full for their services, *Provided, however,* that if for any cause either of them shall for any reason fail in the performance of their duties, that they shall be paid *pro rata* at the same sums.

SEC. 4.—This ordinance shall take immediate effect.

XLVII.

AN ORDINANCE RELATIVE TO INJURIES TO PUBLIC PROPERTY.

Passed May 31, 1870.

SEC. 1.—The city of Adrian ordains: that no person shall destroy, injure or in any manner deface the public school buildings, fire engine houses, fire apparatus, public grounds, street lamps, lamp posts, or any public building or property whatsoever in the city of Adrian.

SEC. 2.—No person shall injure any public reservoir, or break or enter the same, or throw or deposit any substance therein, or draw off any water therefrom, except in cases of fire, or for the use of the fire department, without authority from the Common Council, the Mayor of the city, or Chief Engineer of the fire department.

Playing games
on public
grounds for-
bidden.

SEC. 3.—No person shall play at ball, quoits, or at any other game, or play whatever, in any of the public squares, or grounds belonging to the city.

Amended
June 16, 1879.

Monument and
memorial
stones protec-
tion of.

SEC. 4.—No person shall destroy, injure or mar, nor shall any person climb, or step upon or get upon, without authority, any monument or memorial stone, or upon the base or any part thereof, erected or placed in any cemetery of said city, or any part of the public squares or grounds of said city, nor shall any person interfere or move, injure or mar any flower, wreath or any token of love and respect to the memory of the dead which may be deposited upon any such monument or memorial stone or upon the graves of the dead, or which may be deposited in any public place in said city as a memorial to the dead by any relative, friend or citizen, except the person depositing the same.

Penalty.

SEC. 5.—Any person violating any of the provisions of this ordinance, shall on conviction thereof before any Justice of the Peace of said city, be fined in any sum not exceeding one hundred dollars, or imprisonment not exceeding ninety days, or punished by both fine and imprisonment.

SEC. 6.—This ordinance shall take immediate effect.

XLVIII.

AN ORDINANCE RELATIVE TO THE PROTECTION OF PROPERTY BELONGING TO THE CITY OF ADRIAN.

Passed Sept. 22, 1873.

Reservoirs not
to be interfered
with.

SEC. 1.—The city of Adrian ordains: that no person shall without permission of the Common Council draw, dip, pump or in any other manner take water out of any reservoir, cistern or well belonging to said city, or in any way interfere or intermeddle with such reservoir, cistern or well.

SEC. 2.—No person shall post any bill or bills on the engine houses or on any other building belonging to said city.

Interference
with public
property pro-
hibited.

SEC. 3.—No person shall in any manner whatsoever damage, injure or mar any of the property belonging to said city, or in any way interfere or intermeddle with the same, without permission of the Common Council.

Penalty,

SEC. 4.—Any person violating any provisions of this ordinance, shall on conviction before any Justice of the Peace of the city, be punished by a fine of not less than one dollar and costs of prosecution, and not exceeding fifty dollars, or by imprisonment in the county jail not exceeding thirty days.

SEC. 5.—This ordinance shall take immediate effect.

XLIX.

AN ORDINANCE RELATIVE TO THE SALE OF MEAT AND FISH
IN THE PAVED DISTRICT.

Passed June 9, 1873.

SEC. 1.—The city of Adrian ordains: that no person shall either by himself or by his clerk, servant, or agent or employee, sell, vend or peddle from any wagon, cart or vehicle, drawn by any team, horse or mule, or from any hand cart, in the streets or elsewhere in the paved district in the city of Adrian any meat in less quantities than one hundred pounds. Peddling of meat and fish on paved district forbidden.

SEC. 2.—Any violation of the provisions of this ordinance shall be punished by a fine of not less than ten dollars and not exceeding twenty-five dollars and costs of suit, or by imprisonment in the county jail not less than ten days nor more than sixty days, or by both fine and imprisonment in the discretion of the court. Penalty.

SEC. 3.—And in case any fine shall be imposed, the court shall make a further order that the offender be imprisoned in the county jail of the county of Lenawee until such fine and costs shall be paid, provided that such imprisonment shall not exceed sixty days. Enforcement of Penalty.

SEC. 4.—This ordinance shall take immediate effect.

L.

AN ORDINANCE RELATIVE TO TREES ADJACENT TO SIDEWALKS.

Passed August 15, 1870.

The city of Adrian ordains:

SEC. 1.—All ornamental fruit or shade trees now growing or hereafter placed or set out near the sidewalk on any street in said city, shall be so trimmed by the owner or occupant of the premises next adjacent thereto, within thirty days after the passage of this ordinance, that none of the branches of such trees shall be, extend or hang down, within the distance of twelve feet from the level of the surface of said sidewalk, and shall be kept so trimmed thereafter; and any owner or occupant leaving such trees untrimmed as aforesaid shall, upon conviction thereof before any Justice of the Peace of this city, be punished by a fine not exceeding ten dollars and costs of suit, or by imprisonment in the county jail not exceeding twenty days; and in case such fine and costs be not paid, that such offender be imprisoned in the county jail until such fine and costs be paid; provided such imprisonment shall not exceed twenty days. Amended Aug. 1, 1878. Trees to be trimmed. Penalty.

SEC. 2.—This ordinance shall taken immediate effect.

(19)

LI.

AN ORDINANCE RELATIVE TO DRIVING OR RIDING UPON SIDEWALKS OR CROSSWALKS.

Passed March 6, 1871.

Riding or driving on sidewalks prohibited.

SEC. 1.—The city of Adrian ordains: that no person or persons shall ride, drive or lead any horse, mule or ox or team over or upon any sidewalk in the city, except crossing the same for the purpose of entering or leaving the premises of any person.

Velocipedes.

SEC. 2.—That no person or persons shall ride or drive any velocipede upon any sidewalk or crosswalk in said city.

Penalty.

SEC. 3.—Any person violating any of the provisions of this ordinance shall on conviction before any Justice of the Peace be punished by a fine not exceeding five dollars and costs of suit, to be taxed, and in case of imposition of any such fine, the court shall make a further sentence that the offender be imprisoned in the county jail until such fine and costs shall be paid, provided that such imprisonment shall not exceed five days.

SEC. 4.—This ordinance shall take immediate effect.

LII.

AN ORDINANCE RELATIVE TO ENCROACHMENTS UPON STREETS.

Passed June 12, 1871.

Common Council may remove encroachments from streets.

SEC. 1.—The city of Adrian ordains: that in every case where a street shall have been or shall be laid out and opened in said city, and the same has been or shall be encroached upon by fences, buildings or other encroachments, the Common Council of said city may by resolution order the owner or occupant of such lot or premises adjoining such street, and of which lot or premises such fence, building or other encroachment form a part of the enclosure, to remove such fence, building or other encroachment beyond the limits of such street within such time not less than thirty days, after service of a copy of such resolution or order, as the Common Council shall in such resolution prescribe, and they shall cause a copy of such resolution or order to be served upon such owner or occupant or upon some one of such owners or occupants, if to be found within said city.

Resolution, what to specify.

And every resolution or order shall specify the extent of the encroachment and the place or places in which the same shall be, with reasonable certainty. And the City Surveyor shall, when so required by the Common Council, make a survey and plat of that part of the street encroached upon and adjoining thereto, showing the extent, nature and location of such encroachment,

and the location of the lots adjacent to the encroachment, with the names of the owners and occupants of such lots and premises and file the same with the City Recorder.

SEC. 2.—Said resolution or order shall be served upon such owner or occupant or upon some one of the owners or occupants of the lots or premises adjacent to such encroachment, by the City Marshal or Street Commissioner of said city, by delivering the same to such owner or occupant if found within said city, or by leaving the same at the usual place of abode, or at the place of business of such owner or occupant in said city, or if any such lot or premises be unoccupied, and the owner thereof a non-resident, and cannot be found in said city, then said resolution or order may be served by publishing the same once in one of the newspapers published in said city, and by posting a copy of such resolution or order in a conspicuous place upon such encroachment, or upon the lot or premises adjacent thereto; and the officer so serving such resolution or order shall certify upon a copy of the same, the time and manner of such service, and shall deposit such copy with the City Recorder, and he shall file and preserve the same in his office.

Service of
resolution,
how made.

SEC. 3.—If any owner or occupant upon whom a copy of such resolution or order shall be served in the manner provided in either of the foregoing sections shall deny such encroachments, and shall serve a denial thereof in writing upon the City Recorder of said city, within ten days after service upon him or her as aforesaid, of such resolution or order, the said Recorder shall apply to some Justice of the Peace of said city for a precept which shall be issued by such Justice directed to the City Marshal or any constable of said city, commanding him to summon a jury of six disinterested freeholders thereof to meet before said Justice at a certain day and place in said precept to be named, and not less than four nor more than six days after the issuing thereof, to inquire into the premises, and the City Marshal or constable to whom such precept shall be directed shall give at least three days' notice to said City Recorder and to the owner or occupant of the lot or premises making such denial, if to be found within said city, of the time and place at which such freeholders are to meet.

In case of de-
nial of en-
croachment
jury to be
summoned.

SEC. 4.—On the day specified in the precept, the jury so summoned shall be sworn by such Justice, well and truly to inquire whether any such encroachment has been made as described in the resolution of the Common Council, and then, or at such other time and place as the hearing may be adjourned to by said Justice, the witnesses produced by either party shall be sworn by the Justice, and the jury shall hear the proofs and allegations which may be produced and submitted to them, and in case any

Proceedings
before the jury.

person so summoned as a juror shall not appear, or shall be incompetent, his place may be supplied by a talesman to be summoned by the City Marshal or the constable who summoned said jury in the same manner as is provided in section five (5) of chapter twenty-three of the compiled laws.

In case jury find encroachment, to certify same.

SEC. 5.—If the jury find that there is any encroachment in or upon such street at the place, or adjacent to the lot or premises in that behalf mentioned and described in said resolution or order of the Common Council, they shall make and subscribe a certificate in writing of the particulars of such encroachment, and return the same to said Justice, and such Justice shall forthwith file the same in the office of the City Recorder, and thereupon the owner or owners, occupant or occupants of such lot or premises adjacent to which such encroachment is found to be, and each of them, shall remove such encroachment beyond the line of the street within thirty days after the filing of said certificate with the City Recorder.

Costs in case of encroachment.

SEC. 6.—If the jury find that any such encroachment has been made as aforesaid, the owner or occupant making such denial, as aforesaid, shall pay the costs of such inquiry and all the fees of the Justice, jurors and officer summoning such jury, and if the same shall not be paid within ten days after filing such certificate of said jury with said Justice, the Justice shall issue a warrant for the collection thereof, directed to the City Marshal or any constable of said city, commanding him to levy such costs and his fees thereon of the goods and chattels of such delinquent, and make return thereof to such Justice within thirty days from its date; and all the proceedings in the service and execution of such warrant shall be the same in all respects as in the case of service of executions issued upon judgments rendered by Justices of the Peace; and the Justice, constable, jurors, officers and witnesses shall be entitled to the same compensation for services and attendance as for similar services and attendance in causes tried before Justices of the Peace.

Refusal to remove encroachment deemed violation of this ordinance.

SEC. 7.—If any owner or occupant of any lot or premises adjacent to which any such encroachment as aforesaid may be, shall neglect or refuse to comply with any such resolution or order of the Common Council for the removal thereof as is mentioned and provided for in the first section of this ordinance, or shall neglect or refuse to cause the removal of such encroachment within the time designated for that purpose in such resolution, or shall neglect or refuse for thirty days after the filing with the City Recorder of the certificate mentioned in the fifth section of this ordinance, to remove the encroachments mentioned in such certificate, beyond the line of the street, then and in each and every such case of neglect or refusal as is above mentioned, each

and every person so neglecting and refusing shall be deemed guilty of a violation of this ordinance, and for each day or part of a day after the expiration of the time designated for such removal or compliance with such order and requirement, and during which such encroachment or any part thereof shall remain unremoved, such owner or occupant shall be deemed guilty of a separate and distinct violation of this ordinance.

Each day's
continuance,
separate vio-
lation.

SEC. 8.—In case any owner or occupant shall neglect or refuse to remove any such encroachment as is mentioned in the first section of this ordinance within the time designated in the order or resolution of the Common Council requiring such removal, or shall neglect or refuse to make such removal within thirty days after the filing with the City Recorder of the certificate mentioned in the fifth section of this ordinance, then the Common Council may by a further resolution reciting the former resolution and order of the Council, and referring to the subsequent proceedings, if any there were had before the Justice and jury, and the neglect and refusal of the owner or occupant to remove such encroachments, order and direct the City Marshal, Street Commissioner or such other officer as they shall designate, to remove such encroachment, describing it, beyond the limits of such street, within such time as may be designated in such order.

When Common
Council may
remove en-
croachment.

SEC. 9.—No person shall hinder, interfere with, or prevent any officer named in this ordinance from performing any of the duties or powers in this ordinance given to or required of such officer.

No person
shall obstruct
officer.

SEC. 10.—Any violations of the provisions of this ordinance shall be punished by a fine of not less than one dollar and not exceeding twenty-five dollars and costs of suit, or by imprisonment in the county jail not less than three days, and not more than thirty days, or by both fine and imprisonment in the discretion of the court, and in case any fine be imposed, the court shall make a further order that the offender be imprisoned in the county jail of the county of Lenawee until such fine and costs shall be paid, provided that such imprisonment shall not exceed forty days.

Penalty

SEC. 11.—This ordinance shall take immediate effect.

LIII.

AN ORDINANCE RELATIVE TO THE DRAWING OF SWILL AND GARBAGE UPON SIDEWALKS.

Passed June 3, 1878.

SEC. 1.—The city of Adrian ordains: that no person or persons shall carry, draw or wheel any cart, wagon or other vehicle

Prohibition of

or receptacle used or intended to be used for the purpose of carrying or conveying swill, offal, garbage, excrement, ordure or night soil, over or upon any sidewalk in the city of Adrian, except crossing the same for the purpose of entering or leaving the premises of any person between the hours of eight o'clock a. m. and eleven o'clock p. m.

Penalty

SEC. 2.—Any person violating any of the provisions of this ordinance shall, on conviction before any Justice of the Peace of this city, be punished by a fine not exceeding ten dollars and costs of suit to be taxed, or by imprisonment in the county jail not exceeding thirty days, and in case any fine shall be imposed and such fine and costs be not paid, the court shall make a further sentence that the offender be imprisoned in the county jail until such fine and costs shall be paid, provided that such imprisonment shall not exceed thirty days.

SEC. 3.—This ordinance shall take immediate effect.

LIV.

AN ORDINANCE RELATIVE TO GRADING AND CURBING STREETS.

Passed August 19, 1878.

How Council
shall direct
to be done.

SEC. 1.—The city of Adrian ordains: that whenever the Common Council shall deem it expedient to grade and curb any street, lane or alley, or any part of such street, lane or alley within said city, they shall by resolution to be entered in their journal, direct the same to be done, and the manner in which such work is to be done, and the material to be used in curbing such street, lane or alley.

SEC. 2.—Whenever the Common Council shall have determined to grade and curb any such street, lane or alley as aforesaid, they shall cause the same to be done and the material therefor to be provided by the Street Commissioner, or by contract let for that purpose, or in such other manner as to the Council shall seem expedient.

Funds for, how
raised.

SEC. 3.—Whenever the Common Council shall have caused any street, lane or alley, or any part of such street, lane or alley to be graded and curbed, or shall direct the same to be graded and curbed, they shall cause the funds necessary for defraying the costs and expenses so incurred or to be incurred in the doing thereof to be provided for and raised by an assment to be made by the City Surveyor upon the owner or owners or occupants of the lots or premises in front of or adjacent to the street, lane or alley so graded and curbed, or to be graded and curbed.

SEC. 4.—The City Surveyor shall, with all due diligence, ascertain from the best evidence in his power, all the necessary

facts, and shall then make out an assessment roll stating therein the names of the owners or occupants of the lots and premises in front of or adjacent to which such street, lane or alley has been graded and curbed or has been directed so to be, describing by itself with sufficient accuracy each lot or portion of a lot owned or occupied by any one person or company of persons, and also the name of such owner or several owners or occupants, and when he cannot ascertain the name of such owner or owners or occupants, or either of them, he shall state such fact in his roll; and said Surveyor shall also, in as accurate a manner as possible, ascertain and in said roll set forth in separate columns the space or number of yards or feet graded or curbed or to be graded or curbed, the quality of curbing placed or to be placed in front of or adjacent to the lots or premises owned or occupied by any one person or set of persons, and the sum of money which such person or set of persons shall be assessed for said work.

Assessment
roll to be pre-
pared by City
Surveyor.

SEC. 5.—The City Recorder shall then make out a notice directed to the persons named in said assessment roll and proposed to be assessed, notifying them that they are about to be assessed to defray the expenses incurred or to be incurred in grading and curbing the street, lane or alley in front of or adjacent to certain premises owned by them in said city, and that a report or assessment roll made out in the premises is on file in the office of the City Recorder for inspection, and further notifying them of the time and place when the Common Council will meet and review said report or assessment, the time of which meeting shall be fixed by the Common Council, and said notice shall be published in one of the daily newspapers of said city at least ten days previous to such meeting. The Common Council shall at the time and place in said notice specified, or at some session thereafter, take said assessment into consideration, and if no person appears to object to said roll and no good cause to the contrary appears, and an affidavit of publication of the requisite notice having been made by some one acquainted with the facts, the Council shall by written resolution to be entered in their journal, declare that they approve of said report and assessment roll, and that the sum therein assessed to each person or set of persons, be the assessment against such person or persons, and that the several sums therein assessed be collected from the person or persons to whom assessed respectively. But if any sufficient cause appears or is shown to the satisfaction of the Common Council, they shall review said assessment roll and make such assessments as shall be just and right in the premises.

Notice of
assessment.

Review of
assessment.

SEC. 6.—After said assessment shall have been approved and confirmed by the Common Council, the City Recorder shall, if

the Common Council so direct, make a report and certificate to the Supervisor of the ward in which said lots and premises adjacent to which said grading and curbing shall have been or is to be constructed and located, setting forth a description of said lots and premises the same as contained in said Surveyor's report and assessment roll, together with the names of the owner or owners, or occupants, against whom such assessments have been made, if known, and designating such lots and premises as are non-resident, and further showing the amount so assessed upon each of said lots or premises against the owner or owners, or occupants thereof, and requiring the said Supervisor to levy the several sums so apportioned by tax upon the lots and premises to which they are respectively apportioned and assessed, and upon receiving said certificate the Supervisor shall levy the sums therein mentioned upon the lots and premises to which they are respectively assessed and apportioned, by adding such sums to the general city tax levied or to be levied on such lots and premises, against the owner or owners, or occupants thereof, in the ward tax roll next thereafter to be made; and thereupon the amount so added shall be collected and enforced with the tax to which it is added, in the same manner as the tax to which it is added, and when collected shall be paid into the city treasury.

Assessments to be certified to Supervisor.

Supervisor to levy same.

How collected.

Tax may be collected from Surveyor's assessment roll, when.

Warrant for.

Amended Dec. 14, 1882.

SEC. 7.—After said Surveyor's assessment roll and report shall have been approved and confirmed by the Common Council as hereinbefore provided, instead of requiring the assessments therein made to be certified to the Supervisor of the ward, as provided in section six, the Common Council may by resolution direct that the assessments made in the Surveyor's report and assessment roll be collected directly therefrom as a special assessment. And thereupon the City Recorder shall attach his warrant to said Surveyor's report and assessment roll therein commanding the City Marshal to collect from each of the persons or set of persons named in such report and assessment roll the amount of money set opposite to his, her or their names therein respectively, and that in case any person or persons named in said roll shall neglect or refuse to pay his, her or their tax or assessment upon demand that then the said City Marshal levy and collect the same by distress and sale of the goods and chattels of any such person or set of persons according to law; and that he pay the moneys so collected into the city treasury, and return said roll and warrant together with his doings thereon in sixty days from the date of such warrant, which said roll and warrant shall be delivered to the City Marshal.

Amended Dec. 14, 1882.

SEC. 8.—Upon receiving said assessment roll and warrant the said City Marshal shall proceed to demand and collect the several sums stated and assessed therein, and if any person or set of

persons named therein shall neglect or refuse to pay his, her or their tax or assessment upon demand, the City Marshal shall seize and levy upon any goods and chattels found in said city belonging to such person or persons, and shall sell the same at public auction, first giving six days notice of the time and place of such sale by posting such notice in three of the most public places in said city; and the proceeds of such sale or so much thereof as shall be necessary for that purpose shall be applied to the payment of said tax or assessment and a percentage of five per centum on the amount of the tax or assessment for costs and expenses of such seizure and sale, and the surplus, if any, shall be paid to the person or persons entitled thereto.

Collection, how enforced.

SEC. 9.—The City Marshal shall pay the moneys collected by him into the city treasury and make return on said roll and warrant of his doings thereon to the Common Council within the time mentioned in said warrant. And if any of the taxes assessed in said roll be returned unpaid, the City Marshal shall attach to his return a statement of such fact verified by affidavit to which shall be annexed a list of the lots and premises upon which the assessments have not been paid. Said warrant may be renewed from time to time, if the Common Council shall so direct. And in case any such tax or assessment shall be finally returned by the City Marshal unpaid as aforesaid, the same shall be certified to the Supervisor of the proper ward in the manner provided in section six of this ordinance, and shall be re-assessed with interest at the rate of twenty per cent. from the date of said warrant in the next ward tax roll, and collected and paid in all respects as provided in section six of this ordinance.

Amended Dec. 14, 1882.

Money to be paid to the city treasury.

Delinquent taxes, how collected.

SEC. 10.—This ordinance shall take immediate effect.

LV.

AN ORDINANCE RELATIVE TO THE MARKING OF STREET CORNERS AND NUMBERING HOUSES.

Passed Feb. 17, 1879.

SEC. 1.—The city of Adrian ordains: that every street corner within the district herein required to be numbered where the corner lot is built up or occupied with a building, shall have the name or names of the street or streets forming the corner, painted and affixed to such corner so as to be distinctly in view from the street and at an elevation equal as near as may be to the height of the first story of such building.

Street corners to be marked how.

SEC. 2.—That the lots and lands fronting on so much and such portions of each and every street, avenue or place within the limits of the city, shall be spaced by the City Surveyor for

Lots to be spaced and numbered.

(20)

numbering, and the buildings thereon numbered as hereinafter provided.

Spacing and
numbering,
how to com-
mence and run

SEC. 3.—The spacing and numbering aforesaid on all streets north of Maumee and west of Main and running northerly and southerly, shall commence and run northerly from Maumee, and streets running easterly and westerly shall commence and run westerly from Main; on all streets north of Maumee and east of Main and running northerly and southerly, shall commence and run from Maumee northerly; and streets running easterly and westerly shall commence and run easterly from Main; on all streets south of Maumee and east of Main and running northerly and southerly, shall commence and run southerly from Maumee; and streets running easterly and westerly shall commence and run easterly from Main; on all streets south of Maumee and west of Main and running northerly and southerly, shall commence and run from Maumee southerly; and streets running easterly and westerly shall commence and run from Main street westerly; on Main street shall commence and run from Maumee street southerly and from Maumee street northerly; on Maumee street shall commence and run from Main street easterly and from Main street westerly; on Broad street shall commence and run from Church street northerly; on Tecumseh and McVicker streets shall commence and run from Toledo street southerly; that all other streets in the city not connected with or crossing Main or Maumee streets aforesaid, and not herein specially designated, shall be numbered on the same plan and principle as near as may be as above set forth, and in conformity with the plan and record of the City Surveyor.

Number of feet
front repre-
sented by each
number.

SEC. 4.—The numbering on each street, avenue or place shall commence on the left hand side with the figure 1, and progress in consecutive numbers, alternately from side to side, so that the odd numbers shall be on the left hand and the even numbers on the right hand, and the lots and lands aforesaid shall be so spaced and numbered that there shall be a number for every 50 feet of land fronting on any street, avenue, or place, except where the same will better represent individual interests and can be equally well divided into larger or smaller spaces, and in such case the front for any space may be diminished to not less than twelve feet or increased to not more than seventy feet. Fractional numbers may be used when necessary, but no fractional space shall be deemed to extend from one block of lots to another.

In case of ex-
tension of
limits within
which number-
ing is required.

SEC. 5.—The numbering in every street, avenue or place, when made, shall be made in the manner and upon the principles prescribed in this ordinance, and the limits in which said numbering is required may be extended at any time by the

Common Council, and this ordinance shall then apply to such extension.

If difficulty shall arise in any case between the City Surveyor or any owner or occupant in applying the principles of this ordinance, the question in difference shall be determined by the Mayor and Recorder.

SEC. 6.—The several buildings that are now or hereafter shall be erected on all and each and every of the streets, avenues and places within the city limits, shall be numbered in figures by the respective owners or occupants within sixty days from the passage hereof, in the manner prescribed by this ordinance, and new buildings hereafter erected shall be numbered within thirty days after the erection of the same.

Who to number buildings and when.

SEC. 7.—The figures of every number shall be legible and fixed in a conspicuous place on the side or immediately above the front door of every such building, or in some equally conspicuous place fronting, and such figures shall be in full view from the street, and not less than three inches in length each.

Numbers on buildings, size of, and where, placed.

SEC. 8.—Every person who may be the owner, lessee or occupant of any building, required by this ordinance or any subsequent ordinance to be numbered, who shall refuse or neglect to number his, her or their building or buildings, in conformity with this or any such subsequent ordinance, and with the directions of the City Surveyor or Mayor and Recorder, or who shall neglect or refuse to remove any improper number from his, her or their building when required to remove the same by the City Surveyor, shall on conviction thereof, be punished by a fine not less than one dollar and not exceeding ten dollars and costs of prosecution, or by imprisonment in the county jail for a period not exceeding sixty days, in the discretion of the court, and shall be further liable to the same penalty and punishment for every subsequent period of ten days that such requirement or direction shall not be complied with. And in case any such fine and costs shall be imposed and not paid, the court may make a further sentence that the offender be imprisoned in the county jail until such fine and costs shall be paid, provided such imprisonment shall not exceed sixty days.

Penalty for violation.

SEC. 9.—The City Surveyor is hereby required within thirty days after the passage of this ordinance, to divide up the different lots and blocks herein required to be numbered, into the proper spaces and to affix to each of said spaces the proper number, and to enter in a suitable book to be prepared by him for that purpose and kept in his office, a distinct memorandum of such spaces with the corresponding numbers. And at all reasonable hours when required to do so, said Surveyor shall permit said books to be inspected and copies to be taken there-

Surveyor to make and keep record.

from, and he shall furnish information as to the proper number to represent any building or piece of ground.

SEC. 10.—This ordinance shall take immediate effect.

LVI.

AN ORDINANCE RELATIVE TO CUTTING AND MOWING GRASS AND WEEDS IN THE HIGHWAY.

Passed June 16, 1879.

Duty of owners or occupants. SEC. 1.—The city of Adrian ordains: that the owner or owners, occupant or occupants of each and every lot or of any subdivision thereof, or of any piece or parcel of land in front of or adjacent to which there is any public highway, street, lane or alley in the city of Adrian shall keep the grass and weeds on such public highway, street, lane or alley adjacent to such premises from such premises to the center of the highway, along such owner or occupants premises, cut and mown so that no grass or weeds shall go to seed in any such public highway, street, lane or alley.

Penalty SEC. 2.—Any person violating any of the provisions of this ordinance, on conviction thereof, shall be punished by a fine not to exceed ten dollars and costs of prosecution, or by imprisonment in the county jail not exceeding twenty days, or both such fine and imprisonment in the discretion of the court; and in case of the imposition of any fine and costs and such fine and costs shall not be paid, the court may make an order that such an offender be imprisoned in the county jail until such fine and costs are paid, provided that such imprisonment shall not exceed twenty days.

SEC. 3.—This ordinance shall take immediate effect.

LVII.

AN ORDINANCE TO REGULATE THE SALE OF BERRIES AND FRUITS.

Passed July 1, 1880.

Must be sold by dry measure. SEC. 1.—The city of Adrian ordains: that any person who shall within the city of Adrian sell whortleberries, blackberries, blueberries, strawberries, raspberries, cranberries, or any other fruit, shall sell the same by dry measure.

Penalty for violation. SEC. 2.—Any person who shall violate any of the provisions of this ordinance, shall on conviction be punished by a fine not exceeding ten dollars and costs of prosecution, or by imprisonment in the county jail of Lenawee county not exceeding thirty days, and the person convicted under this ordinance failing to pay any fine and costs imposed upon him, shall be imprisoned in the county jail of said county until such fine and costs shall

be paid, provided that such imprisonment shall not exceed thirty days.

SEC. 3.—This ordinance shall take immediate effect.

LVIII.

AN ORDINANCE RELATIVE TO SALOONS, RESTAURANTS, AND OTHER PLACES WHERE LIQUORS ARE SOLD.

Passed Sept. 27, 1881.

SEC. 1.—The city of Adrian ordains: that all saloons, restaurants, bars in taverns or elsewhere, and all other places where spirituous, malt, brewed, fermented or vinous liquors, or any beverage, liquor or liquids containing any spirituous, malt, brewed, fermented or vinous liquors may be sold, or kept for sale, either at wholesale or retail, be and hereby are allowed to be kept and remain open until ten o'clock each week day night.

Saloons, &c., may be kept open until 10 o'clock.

SEC. 2.—All provisions of any and all ordinances conflicting with the provisions of this ordinance are hereby repealed. •

SEC. 3.—This ordinance shall take immediate effect.

LIX.

AN ORDINANCE RELATIVE TO GUN POWDER AND OTHER DANGEROUS EXPLOSIVES.

Passed Oct. 8, 1882.

SEC. 1.—The city of Adrian ordains: that gunpowder in any place, in a larger quantity than ten pounds, giant powder, gun cotton, dynamite, or any combination of any of the above, or other explosive substance dangerous to the neighborhood or public travel, shall not be stored, kept, housed or left anywhere within the corporate limits of said city in any quantity whatever, unless consent from the Common Council of said city be first had to do the same.

Not to be stored without permission from Common Council.

SEC. 2.—Any person or persons violating any of the provisions of this ordinance, upon conviction thereof, shall be fined in a sum not exceeding fifty dollars, and in the imposition of any such fine the court may make a further sentence that in default of payment of the fine imposed, the offender be confined in the Lenawee county jail for any period not exceeding ninety days.

Penalty.

SEC. 3.—This ordinance shall take effect November 1, 1882.

LX.

AN ORDINANCE RELATIVE TO WATER SUPPLY.

Passed July 3, 1882.

SEC. 1.—The city of Adrian ordains: that parties occupying

Property owners may connect with water mains.

property adjacent to the streets in which the water mains have been or may hereafter be placed, may connect with said water mains and use the water from said mains, under the regulations and provisions herein prescribed:

Size of connection allowed.

SEC. 2.—Permits for making attachments to supply water for domestic purposes will be issued as follows: For supplying dwellings of not more than six rooms, one $\frac{1}{2}$ inch connection; for dwellings of more than six, and not more than ten rooms, one $\frac{3}{4}$ inch connection; for dwelling of more than ten rooms, one $\frac{1}{2}$ inch connection; for stores, one connection from $\frac{1}{2}$ to $\frac{3}{4}$ inches diameter, according to wants; for laundries, livery stables, coffee houses, barber shops, restaurants, small manufactories, etc., one connection from $\frac{1}{2}$ inch upwards, as may be required. For supplying hotels and manufactories requiring large quantities of water, the character and size of the attachment shall be determined by the quantity of water required in specified periods of time.

Water rents, when due and where paid.

SEC. 3.—All water rents shall become due and payable at the office of the City Recorder on the first day of June in advance, each year; after which, when any consumer of water shall have had not less than five days notice that said water rents are due, and then remain unpaid, the Marshal shall turn off the water from such premises of such consumers as are delinquent.

In case of, non-payment.

All bills and claims due the city of Adrian for water rents or special assessments, remaining unpaid for not less than thirty days after said water is turned off, or for ten days or more after the bill for the same has been presented in the usual form, shall be reported to the chairman of the water works committee, who shall direct the city attorney to proceed at once and collect the same before any court having jurisdiction, and it is hereby made the duty of said officer to prosecute all such cases.

Water not to be taken until payment made.

SEC. 4.—No person shall take water from any public or private hydrant, plug, street-washer, draw-cock, hose-pipe or fountain, except for fire purposes, and for the use of the fire department in case of fire, nor shall in any way use or take any water for private use which is furnished by the city, without first paying for the same, and receiving the City Recorder's receipt therefor. This section shall not apply to public drinking fountains.

In case of waste

SEC. 5.—The committee on water works or other person or persons appointed by said committee, shall be authorized to enter and have free access at all reasonable hours, to any premises where it may be necessary to ascertain the location or condition of any hydrant, pipe, or other fixtures attached to said works; and in case of waste of water for want of repairs or negligence, such waste must be remedied forthwith; and if, in any such case the water shall again be found on, without the knowledge

or permit of the proper officers, the ferrule leading the water to such premises shall be turned off or withdrawn, and not turned on or reinstated, until the total cost of turning off or removing and turning on, or reinserting such ferrule shall be paid.

SEC. 6.—In case of leak in a private pipe between main pipe and stop-cock, the owner or occupant of the premises shall be notified either verbally or in writing, and if the necessary repairs are not immediately commenced and prosecuted with reasonable dispatch, the ferrule attached to such main pipe may, at the option of the chairman of the water works committee, be turned off or withdrawn, or the necessary repairs made at the expense of the owner of said service, which expense shall be paid as above set forth, before the water shall be again turned on; said water shall not be wasted and negligently used, and any person allowing a continuous flow of the same except while in actual use, shall pay therefor at the rate provided for the use thereof in vaults, closets, urinals, and other cases of continuous flow.

Application for a permit to connect service or supply pipe with the main, must be made to the City Recorder, and a sum not to exceed one dollar and a half paid in advance, to cover the expense of the permit and ferrule.

SEC. 7.—Every service pipe must be laid sufficiently waving with at least one foot extra length, to prevent rupture by settling of the street. The service pipe must be placed at least five feet below the surface, and so protected as to prevent danger by freezing.

SEC. 8.—No person shall be permitted to enter the pipe or conduct the water into any two distinct premises or tenements, unless separate and distinct stop-cocks shall be placed on the outside of such premises on the sidewalk opposite the same, also an additional main-stop on sidewalk opposite ferrule.

SEC. 9. No ferrule shall be inserted in any of the street mains above the size of five-eighths of an inch inside diameter, unless by consent of the chairman of the committee on water works.

SEC. 10.—All service pipe from the point of union with the main, to the service stop inside of curb line, shall be of lead; will in all cases be one-eighth larger in main diameter than the internal diameter of the ferrule with which it connects.

SEC. 11.—In all cases where more than one pipe or one consumer of water is supplied through one service pipe having but one stop-cock, the owner of the property so supplied shall be held responsible for and shall pay for all water chargeable to said service and the expense of keeping the same in repair.

SEC. 12.—Street sprinklers and service cocks will be placed

In case of leak in private pipe.

Application for permit, to whom made.

Service pipe, how to be laid.

Ferrule, size of.

Service pipe, material and size of.

on the walk side of the curb stone, and the boxes must be of iron or wood, of such pattern as may be approved by the committee on water works.

Trenches, how
to be refilled
after laying
pipe.

SEC. 13.—In refilling trenches the earth must be laid in layers of not more than nine inches in depth, and each layer thoroughly tamped and puddled to prevent after settling. The pavement, flagging, improvement and entire surface must be restored to as good condition as before taken up, and all rubbish removed immediately after the completion of the tapping and laying of service pipe. If any person shall refuse or neglect to do such work within twenty-four hours after the service pipe has been laid, the chairman of the committee on water works shall cause it to be done, and the entire cost thereof shall be charged to the owners of such service, and the water kept off until all such charges shall have been paid, it being the duty of the chairman to first notify both the owner and person doing said work, either verbally or in writing, of such delinquency.

SEC. 14.—No person whose service shall have been turned off shall be allowed to reopen or turn on the water, or permit the same to be done excepting by the chairman of the water works committee, or some person authorized by him.

When permits
to expire.

SEC. 15.—In all cases where the orifice of the main pipe] does not exceed the size prescribed in section two of this ordinance, the rates shall be as follows, and each additional one-eighth of an inch in the diameter of the orifice will increase the following rates ten per cent.:

1.—For every house occupied by one family	\$ 5 00
2.—For each additional family.	3 00
3.—For every grocery or drug store.....	7 00
4.—For every other store.....	4 00
5.—For private bathing tubs, each.....	3 00
6.—For private water closets, each seat.....	3 00
7.—For private stables, including water for one horse and washing one carriage.....	5 00
8.—For each additional animal.....	1 00
9.—For livery stables, each stall in use.....	1 00
[For washing carriages, special rates.]	
10.—For street sprinkling, each $\frac{1}{4}$ inch nozzle, to be used from 6 to 7 A. M., 12 to 1 and 6 to 7 P. M.....	4 00
[Provided that the sprinkler shall not be used to exceed 15 minutes in any one hour.]	
11.—For barber shops, one chair.....	3 00
12.—For each additional chair.....	2 00
13.—For public baths, each tub.....	5 00
14.—For blacksmith shops, each fire.....	1 00
15.—For bakers, average daily use of flour, for each barrel per annum.....	3 00

- 16.—For hotels and hotel stables, special rates to be made...
- 17.—For boarding houses, exclusive of stables, baths, water closets, and urinals..... 8 00
- 18.—For every bed for boarders exceeding four..... 2 00
- 19.—For fountains to be used ten hours per day, for only six months of the year, each jet not exceeding $\frac{1}{4}$ inch delivery..... 10 00
- 20.—For printing offices, exclusive of steam engines..... 7 00
- 21.—For photograph galleries..... 10 00
- 22.—For steam engines (stationary) each horse power up to ten—12 hours per day..... 3 00
- 23.—For saloons and restaurants..... 7 00
- 24.—For sprinkling for paved district, each wagon per month 20 00
- 25.—For manufacturing establishments, special rates to be made as agreed upon.....
- 26.—For closets, vaults, urinals, and other constant flows.... 25 00

SEC. 16.—Every permit shall expire on the first day of May, ^{When Permits to expire.} each year, and shall be charged pro rata from the first day of the month, in which the same shall be applied for, until the first day of May following. No person shall use the water from said main until payment for the use of the same shall have been made to the City Recorder, as herein provided.

The Common Council of the city of Adrian hereby reserves ^{Right of Common Council to change regulations, &c.} the right to change, modify and annul any and all the provisions herein prescribed, and at any time, when the exigencies of the city, in their judgment require it, to cause all pipes to be disconnected, and the use of water from said mains by private parties to be discontinued, for such time as said Council may direct.

The laying of all service pipes connecting the same with the mains, and all matters, rules and regulations, for the using of the water from said mains, not herein specially prescribed, shall be under the control and supervision of the committee on water works.

SEC. 17.—Any person using water by attaching hose or otherwise, for street sprinkling purposes, shall pay therefor at the rates provided in paragraph No. 10, in section 15 of this ordinance. No person shall be permitted to take away from any premises supplied with water by this city, water in quantities greater than one gallon; and any person who shall supply with water any person, family, shop, store or dwelling, shall be responsible to said city for the payment therefor in accordance with the rates established in section 15 of this ordinance.

SEC. 18.—Any person or persons violating any of the provisions of this ordinance shall upon conviction before the Police ^{Penalty for violation.} Justice of this city, be punished by a fine of not less than five

dollars, and not more than fifty dollars, and the costs of prosecution in every case, and in default thereof be imprisoned in the county jail of Lenawee county for a period of not less than ten nor more than sixty days.

SEC. 19.—This ordinance shall take immediate effect.

ADRIAN CITY ORDINANCES.

LXI.

AN ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF WATER
WORKS IN THE CITY OF ADRIAN AND TO PROTECT THE
SAME.

Passed and approved the 12th day of June, 1883.

SEC. 1.—The City of Adrian ordains that it shall be lawful for any corporation or company having a contract with the City of Adrian to construct water works for supplying the inhabitants thereof with water, to dig and excavate in any public way in the city for the purpose of laying pipes, making connections or repairs, setting hydrants, or for any other purpose necessary to secure efficient water service, and may remove any flagging, curbstone, pavement, or crosswalk, when necessary to prosecute said work, subject to the restrictions and provisions hereinafter mentioned. May dig streets, &c.

SEC. 2.—No street or way shall be excavated by said corporation or company unless notice, written or printed, be served upon the street commissioner, or marshal, at least twenty-four hours before entering upon said work; said notice to name the street and set forth the distance to be dug and for what purpose. Notice to be served first.

SEC. 3.—It shall be the duty of the officer receiving such notice to at once notify the chairman of the street committee, or in his absence, some other member of the said street committee. Duty of officer.

SEC. 4.—It shall be the duty of the officers of said corporation or company, or of any contractor, overseer, or foreman, or other person in charge of any excavation on any street or way, to properly guard the same against all danger of accident, and at night to erect barricades or guards, and place ample red lights as danger signals along the entire course of the exposed excavations, satisfactory to the street commissioner or street committee, and any such contractor, overseer, foreman, or other person in charge, or any officer of said corporation or company violating the provisions of this section shall, on conviction thereof, before any court having jurisdiction, be punished by a fine not less than twenty-five dollars nor more than fifty dollars, or by imprisonment in the county jail not less than ten nor more than sixty days, or by both fine and imprisonment, in the discretion of the court. Excavations to be guarded by red lights.

SEC. 5.—No pavement once removed shall again be relaid, except by a paver approved by the street committee and street commissioner, unless by resolution of the council authorizing it; and all excavations shall be refilled immediately after the pipes have been laid, hydrants set, connections or repairs made, and Paving must be laid by city paver.

ADRIAN CITY ORDINANCES.

there shall be no unnecessary delay in doing the work after an excavation is made.

Well and works
not to be
meddled with.

SEC. 6.—It shall not be lawful for any person or persons, except such as are authorized by said company or by the Common Council, to in any way disturb or meddle with any main, hydrant, connection, service pipe, fountain, reservoir, well, building, machinery or any other property of, or belonging to any such company or corporation, and no person shall in any manner or by any means pollute or defile any reservoir, well, spring or source of supply of water, or any hydrant, fountain or receptacle receiving water from said water works.

Mains not to
be tapped.

SEC. 7.—No persons except such as are authorized by the company or corporation so furnishing said water shall tap any main or pipe of said water works, or make any connection therewith. And no person whose service shall have been turned off by said company or corporation, shall reopen the same or turn on the water or permit the same to be done, without the consent of said company or corporation.

SEC. 8.—Any person violating any of the provisions of this ordinance, except as provided in section four, shall, on conviction thereof, be punished by a fine not exceeding fifty dollars, or by imprisonment in the county jail not exceeding sixty days, or by both fine and imprisonment in the discretion of the court, and in case the fine be not paid, the court may further sentence the person convicted to imprisonment for a period not exceeding thirty days, provided that in no case shall the term of imprisonment exceed in any one case the term of ninety days.

SEC. 9.—This ordinance shall take immediate effect.

LXII.

AN ORDINANCE TO PERMIT THE CUTTING DOWN OF SHADE TREES.

Passed and approved the 12th day of June, 1883.

When trees
may be cut.

SEC. 1.—The City of Adrian ordains that it may be lawful for any person to cut down and remove shade trees in the street on the side adjacent such premises as he or she may own, whenever he or she may deem it necessary for health or comfort: *Provided*, however, that no shade tree shall be cut down and removed if by so doing the trees between which it stands shall be more than forty-five feet apart.

SEC. 2.—This ordinance shall take immediate effect.

REGISTRATION AND ELECTION.

REGISTRATION.

Compiled laws, Howell's edition, page 126, Section 87. See Section 22 of Charter.

SEC. 5. On the Saturday next preceding the general election, and on the day (Sunday excepted) next preceding the day of the regular charter election, or any special election, and on such other days as shall be appointed by the common council of the city, not exceeding three days in all, previous to any said election, the board of registration of the city, to be constituted as aforesaid, shall be in session at such places in the several wards as they shall designate in their notices, to be published and posted up as hereinafter provided, from eight o'clock in the forenoon, until eight o'clock in the afternoon, for the purpose of completing the lists of the qualified voters; during which session it shall be the right of each and every person then actually residing in the ward, and who, at the then next approaching election, may be a qualified elector, and whose name is not already registered, to have his name entered in the register, which shall be done in the manner above described; and such boards, and each member thereof, and each applicant for registration, is hereby vested and charged with the same rights, powers, duties, and penal liabilities, touching the examination of applicants, as hereinbefore provided: *Provided*, That the provisions of this amendment shall not apply to electors in the city of Detroit.

Notice published two weeks before session.

Hand-bills to be posted:

When lists to be corrected.

SEC. 6. At least two weeks previous to the commencement of any such session, the board, at the expense of the city, shall cause a notice thereof to be printed and published in one or more newspapers in such city, designating the place of holding the same, and shall cause the same notice to be printed in handbill form, and posted up in at least ten conspicuous places in each ward; which handbill shall also contain a true copy of the list of names then appearing in the register for the ward. And immediately after the close of the polls of such election, the clerk of the board of inspectors of that election, and before the counting of the votes, shall, under the direction and by the assistance of the inspectors, insert and write upon or attach to such printed handbill all the names of electors appearing on the register and not on such handbill, so that such handbill so corrected shall be a true copy of the list then appearing in such register, and shall, with the inspectors, or a majority of them, certify and sign such copy and file the same in the office of the county clerk, who shall carefully keep and preserve the same, and the same shall be evidence, *prima facie*, of the original; and in case of the loss or destruction of the original, the same or a certified copy thereof shall be used in its stead.

REGISTRATION AND ELECTION.

SEC. 7. At the close of their sessions, the board, or the members who made the registration in the particular ward, shall sign the list, adding the date of their signature, and shall immediately deposit the same for safe keeping with the city clerk, who shall carefully preserve the same in his office until delivered as hereinafter provided.

Lists to be signed and filed.

SEC. 8. At any such general, special, or charter election in the city, and as soon at least as the poll in each ward is opened, the city clerk shall cause the proper register to be placed in the hands of the inspectors of election, to be used by them during the same, and returned to the city clerk immediately thereafter; and they shall not receive the vote of any person whose name is not written therein. But if any person shall offer and claim to vote at such election, whose name is not so registered, his name may be registered by the clerk of the election, under the direction of the inspectors, upon the same terms and conditions hereinafter prescribed for the like cases arising at elections in townships, substituting *ward* for *township*; and both the applicant and the qualified elector shall be subject to the same penalties prescribed in cases so arising.

PROCEEDINGS WHEN VOTER IS NOT PRESENT.

SEC. 14. . . . One of the inspectors shall administer to him an oath in the following form, viz: You do solemnly swear that you will true answers make to such questions as shall be asked you touching your qualifications as an elector at this poll so help you God; or an affirmation to the same effect, which oath or affirmation, if he be unable to understand the English language, may be interpreted to him by an inspector, or interpreter sworn by an inspector, which interpreter shall also interpret his answers to the inspectors. If, in his answers on oath, he shall state positively that he has resided in the township ten days next preceding said election, designating particularly the place of his residence, and that he possesses the other qualifications of an elector under the Constitution, stating such qualifications; and shall, furthermore, swear that owing to the sickness or bodily infirmity of himself or of some near relative residing in the same household (giving the name of said relative,) or, owing to his absence from the township, on public or official business, or his own business, and without intent to avoid or delay his registration, during the then last session of the board, he has been prevented from causing his name to be previously registered; and if, furthermore, some qualified elector of the township, and not a candidate for any office at that election, shall

Oath when voter is unable to register.

What he must state.

REGISTRATION AND ELECTION.

take an oath before said inspectors, which oath any one of them may administer, that he is well acquainted with such applicant that he has in fact resided in the township ten days previous to such election, and that he, the freeholder [qualified elector], has good reason to believe, and does believe, that all the statements of such applicant are true, the inspectors may, in their discretion, direct the clerk to register his name in the proper place, with the proper date; and if such applicant or such qualified elector shall in said matter wilfully make any false statement, he shall be deemed guilty of perjury, and, on conviction, be subject to the pains and penalties thereof.

Registration to
be corrected.

SEC. 18. At every session of the board of registration of any township or ward after the year one thousand eight hundred and fifty-nine, it shall be their duty to review the list of names in their register, and if it shall have come to their knowledge that any person whose name has been registered has died or has removed therefrom and ceased to reside therein, they shall place the letter "D" against the name of the deceased person, and the letter "R" against the name of the person who has so removed. with the date of the entry and the initials of the name of the member making it, so as to show by whom and when made, and thereafter such name shall be considered and treated as no longer in the list, and shall be omitted in the copies above provided for. But if it shall happen that such entry was erroneously made, and such person shall thereafter appear at any election and claim the right to vote thereat, his name may, on his application, be again registered upon the following terms: He shall, upon his oath or affirmation, which any member of the board of inspectors or the board of registration may administer, declare that he has not removed from but is still a resident of the township or ward, and is otherwise a qualified elector and entitled to vote; and on making such oath or affirmation, his name may be registered in the manner above described, either by the board of registration or the board of inspectors; and if such applicant shall swear or affirm falsely he shall be liable to the pains and penalties of perjury. But in case such entry shall be made falsely, maliciously, and without credible information, the member of the board making it shall be deemed guilty of a misdemeanor, and be punished as such, and the party aggrieved shall be entitled to recover of him in an action on the case treble damages for the injury and treble costs of suit, in any court having jurisdiction of the cause, and the record of the defendant's conviction of the criminal offense, duly authenticated, shall be *prima facie* evidence of his liability: *Provided*, That at the sessions of the several boards of registration next preceding the

Proceedings
when name
erased wrong-
fully.

REGISTRATION AND ELECTION.

general election to be held in this State in the year one thousand eight hundred and eighty-two, and at said sessions next preceding the general election every ten years thereafter, there shall be had and made an entirely new registration of the qualified electors of each organized township and city in this State, excepting in the county of Wayne, and except in those cities where provision is made by existing law for a new registration oftener than every ten years, the same to be made in the manner hereinbefore specified for registration of qualified electors in townships after the year eighteen hundred and fifty-nine. . . .

FORMS OF OATHS TO BE ADMINISTERED.

WHERE VOTE IS CHALLENGED.

(25.) SEC. 9. If any person offering to vote shall be challenged as unqualified, by any inspector or any elector qualified to vote at that poll, the chairman of the board of inspectors shall declare to the person challenged the constitutional qualifications of an elector, and if such person shall state that he is a qualified elector, and the challenge shall not be withdrawn, one of the inspectors shall tender to him such of the following oaths as he may claim to contain the grounds of his qualifications to vote.

1st. "You do solemnly swear [or affirm] that you are twenty-one years of age, that you are a citizen of the United States, that you have resided in this State three months, and in this township (or ward, as the case may be) ten days next preceding this election, and that you have not voted at this election;" or

General oath.

2d. "You do solemnly swear [or affirm] that you are twenty-one years of age, that you resided in this State on the twenty-fourth day of June, one thousand eight hundred and thirty-five, that you have resided in this State three months, and in this township (or ward, as the case may be) ten days next preceding this election, and that you have not voted at this election;" or

3d. "You do solemnly swear [or affirm] that you are twenty-one years of age, that you resided in this State on the first day of January, one thousand eight hundred and fifty, that you have declared your intention to become a citizen of the United States, pursuant to the laws thereof, six months preceding this election, that you have resided in this State three months, and in this township (or ward, as the case may be) ten days next preceding this election, and that you have not voted at this election;" or

Oath of alien under statute.

4th. "You do solemnly swear [or affirm] that you are twenty-one year of age, that you have resided in this state two years

REGISTRATION AND ELECTION.

When challenged for not being naturalized.

and six months next preceding this election, that you have declared your intention to become a citizen of the United States, pursuant to the laws thereof, six months preceding this election, that you have resided in this township (or ward, as the case may be) ten days next preceding this election, and that you have not voted at this election;” or

5th. “You do solemnly swear [or affirm] that you are a native of the United States, that you are of Indian descent and do not belong to any tribe, that you have resided in this State three months, and in this township (or ward, as the case may be) ten days next preceding this election, and that you have not voted at this election.”

If such person so challenged will take either of the above oaths, his vote shall be received; but if such person shall therein swear falsely, upon conviction thereof he shall be liable to the pains and penalties of perjury.

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